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**SOUTHEAST SUBSISTENCE REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING**

October 6, 1994  
Centennial Hall  
Juneau, Alaska

**VOLUME II**

COUNCIL MEMBERS PRESENT:

William C. Thomas, Sr., Chairman  
Gabriel D. George, Vice Chairman  
Vicki LeCornu, Secretary  
Lonnice Anderson, Member  
Richard Dalton, Sr., Member  
John P. Feller, Member  
Patricia A. Phillips, Member  
Tom Robinson, Member  
John F. Vale, Member  
Dolly Garza, Member  
Carol Jorgensen, Coordinator

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(On record)

CHAIRMAN THOMAS: Good morning. We have a strict rule of recognizing dignitaries as they enter the building, so we try not to get carried away with that. Good morning, Mr. Borbridge.

MR. BORBRIDGE: Good morning.

CHAIRMAN THOMAS: John, yesterday, all day long as people showed up at the meeting, we asked them to introduce themselves and give us a no longer than 45 minute bio of themselves. So to stay with that tradition that's 24 hours old, if you'd be so kind to do that, in case there's somebody here that might not know you or know what you're doing; if you would, please?

MR. BORBRIDGE: Mr. Chairman, that seems like a very short period of time to allow but I will certainly follow the instructions.

CHAIRMAN THOMAS: Okay. This morning, we're down to where we -- we're down to new business, the day after having listened to reports yesterday. And we have people that are coming in that have the time to give us some information that we're going to need in order to understand some of the information that's mailed to us or something that we have to refer to. And to give you a better explanation of all that, I would ask Carol Jorgensen to introduce our first presenter.

MS. JORGENSEN: Thank you, Mr. Chairman. Mr. Chairman, we're real pleased that Mr. Bob Vaught, the Deputy Forest Supervisor of the Ketchikan area and now heading up the Tongass Band Management Plan Review, is here to give a presentation. And what I'd ask Mr. Vaught is if he would give a background -- a little bit of background introducing himself, and then he'll give the presentation. We're appreciative of his time because they're right in having meetings now, so he was able to come to us this morning. And it's been something the Council's been wanting for the last two meetings. So thank you.

CHAIRMAN THOMAS: We'd like to welcome Mr. Vaught. Welcome to our meeting.

MR. VAUGHT: Mr. Chairman and members of the Council, thank you very much for having me come. I and the Forest Service appreciate the opportunity to present to you some

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issues that are very important to all people in Southeast Alaska. And there's going to be some significant steps that occur in the relatively near future that make your awareness of these issues quite important.

5

6 As was stated, my name is Bob Vaught. And as a young child, I had always, as long as I can remember, wanted to go to Alaska. And I was -- my wife and I were married in 1972, and in 1974 we showed up in Fairbanks and I attended the University of Alaska; I graduated with a degree in Fisheries Biology. Since that time, I've lived and worked in Fairbanks, in Kodiak, in Seward, in Anchorage, in Sitka, in Ketchikan, and now I'm spending a great deal of time in Juneau.

14

15 I -- in working on the Forest Plan at the current time, see that as a real opportunity to work together with the people in Southeast Alaska to try to resolve some of the issues. As you well know, the issues are very controversial. The issues are very political. But it is a real opportunity to discuss the issues and, perhaps, through some intensive effort on all of our part, come together more so than we have been in the past.

23

24 I would like to very briefly describe what we were doing as a part of the Tongass National Forest Land Management Plan which is known as TLMP, and I'll probably use that term. In 1976, the National Forest Management Act required National Forest to develop Forest Plans. And the main reason for this was so that National Forest would interact with the people that lived and worked and had an interest in the national forest.

31

32 In 1979, the Tongass Land Management Plan, the first plan, was completed and signed. The National Forest Management Act requires that we update the plan, revise the plan every 10 to 15 years. And so in 1989, we began to work on the revision for the plan. Currently, we have been working on it for seven years. We have completed two complete drafts, and we are still not all that close to a completed revision. And there are several issues that keep coming up that need to be dealt with. I'd like to mention those.

41

42 The first one and, perhaps, the more visible and important one is viability. It's species viability, which means that the animals on the Tongass National Forest need to be able to live and interact with each other across the Tongass National Forest so that there are not big gaps in the areas in which animal species can live and survive and reproduce. And there has been much controversy about what viability means and how we can maintain the viability of animal species in

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Southeast Alaska.

2

3           The second issue that is of great importance to us and  
4s embodied in considerable law are issues with the Endangered  
Species Act. As I'm sure you know, there are two species that  
have been petitioned to be list under the Endangered Species  
Act, and those are the Queen Charlotte Goshawk and the  
Alexander Archipelago wolf. The U.S. Fish & Wildlife Service  
is the agency which has the main responsibility to deal with  
these issues but the Forest Service is very involved with them,  
and there needs to be resolution about those two species.

12

13           The third issue is fisheries habitat protection and  
whether it is adequate at the current time in relation to  
timber harvest and other forest activities. As I'm sure you  
know, there is a big effort in the Lower 48; particularly  
Oregon and Washington and the Snake River drainages, the  
Columbia drainage; to increase the protection for salmon  
species because of the problems that they are having down  
there. And the question that faces us is whether or not the  
protection measures which we are implementing on the Tongass  
National Forest right now are adequate to keep the same  
problems that are occurring in the Northwest from occurring in  
Southeast Alaska.

25

26           There's also an issue of caves. There are a lot of  
caves, particularly on Prince of Wales Island but also in some  
other areas of the Tongass, and the degree of protection that  
is necessary for those caves is also a question that faces us.

30

31

32           And then the last issue is clearcutting. I'm sure you  
know that the Chief of the Forest Service has mandated that  
there be a reduction in clearcutting. Currently, the Tongass  
National Forest clearcuts about 99% of the time in our timber  
program. And if we are to comply with the Chief's direction,  
that will require a change in approach, and that issue needs to  
be resolved before we can complete this Forest Plan.

39

40           So those are the issues that we are going to be working  
on. We have already begun to deal with some of these issues,  
particularly the goshawk issue and the viability, the species  
viability question.

44

45           Early this spring, we made some changes to our  
management, and we implemented what is known as HCAs or habitat  
conservation areas. And these are areas where timber  
harvesting is not allowed which are carefully located and  
spread across the Tongass to allow the animals there to

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interact with each other in a more natural way. And we also provided some greater protection to goshawk nests where we knew those goshawk nests were located.

4

5 That resulted in an environmental assessment which is going to be released I hope tomorrow, perhaps next Tuesday at the very latest. This environmental assessment prescribes these changes, the addition of HCAs and additional goshawk protection in the Forest Plan as an interim measure, a short-term measure, until the completed revision is accomplished. But it does require some additional protections. There are alternatives that are listed in that plan that can be commented on during the public comment period. And there are changes to the current plan that are possible if the Regional Forester determines that such changes are necessary.

16

17 I would encourage you, if you have an interest, to be involved in that comment to that environmental assessment. And I personally would be happy to make additional presentations for individual communities or individual groups or in any way that I can to provide more information about that. Unfortunately, it's not going to be released until tomorrow or Tuesday and I cannot provide the specifics until there is an actual public release, which is one of the regulations that we must follow.

26

27 The last thing I'd like to talk about is how we're going to proceed with the Forest Plan itself. We have complemented a different approach to completion of the Forest Plan than we have exercised in the past. That approach is a partnership approach with a research organization, we call it PNW in our terminology, it stands for the Pacific Northwest Research Station. There is a Juneau lab as a part of that PNW organization which is based here in Juneau, and they're composed of research scientists. And we have a number of research scientists that are working with us in a cooperative fashion on our planning team to help us define the science of these issues and to do a better job of incorporating that science into the solution. We also have a member of the U.S. Fish & Wildlife Service and the National Fishery Service associated with the planning effort. And this is a cooperative relationship that we have not had in the past.

43

44 We would like very much and we certainly intend to involve tribal governments and Native communities as we work forward in completion of the plan. We have really just started this effort in the last month or so. This new effort to get the revision completed. There will be much additional information coming out in the next year and a half to two

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years. There will be much greater involvement with individual tribal governments and Native communities and Native groups as we go forward in this effort. And I encourage you to be in contact with me if you feel you need more information. You need presentations, we would be happy to make specific presentations at your request when we can work out an appropriate, agreeable time to do that.

8

9 As I stated in my initial comments, we look forward --  
10 look forward to trying to resolve these issues, making the  
11 subsistence aspect of these issues a real part of the solution.  
12 And I really hope that we can come to some agreeable  
13 conclusion as we try to accomplish the revision of this Forest  
14 Plan.

15

16 Thank you very much.

17

18 CHAIRMAN THOMAS: Thank you very much, Mr. Vaught, we  
19 appreciate all of that kind of information. Are you going to  
20 respond to questions?

21

22 MR. VAUGHT: I would be happy to do that, if you would  
23 like me to.

24

25 CHAIRMAN THOMAS: I have one here in reference to  
26 habitat protection. In dealing with managing resources,  
27 habitat protection doesn't usually come up very much. We're  
28 more concerned about limits and seasons and all this kind of  
29 thing. And I guess we kind of expect the habitat to take care  
30 of itself, and realizing nowadays with all the activity that  
31 goes on that that's not always the case. And so, you know,  
32 we're trying to align ourselves with as many people in society  
33 that is sensitive to the subsistence initiative and to make it  
34 a lot more available and less cumbersome and not so  
35 controversial within the legal and political system.

36

37 Given that, I was wondering what scenario of publicized  
38 protection parameters that the Forest Service endorse or  
39 embrace. Are you at liberty to share that with us?

40

41 MR. VAUGHT: Well, I can tell you what I know which  
42 really is not very much at this point because many of the  
43 specifics of how we intend to proceed are going to need to be  
44 worked out as we work with groups and communities in the future  
45 and as we finalize more of our plans. As I've stated we've  
46 just started.

47

48 But I can tell you some things. The issues that we  
49 have talked about -- that I have talked about, species

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viability, the endangered species concern and those habitat -- those are habitat issues. And protection of a habitat is going to be a necessary part of the resolution of those issues. Incorporating science and scientists that are experts in these areas along with our involvement with groups like yourself, tribal governments and other members of the Native community, we intend to ensure that the habitat protections that are necessary and that are required under law and that are required for subsistence purposes are there.

10

11 My best guess is that there are definitely going to be tradeoffs that are going to be required if we do this. The amount of timber that we are going to be able to harvest by necessity, if we provide greater habitat protections, will go down. Many people in Southeast Alaska are very concerned about that. It would be unethical and improper for me to try to make guesses at this point as to how much habitat protection is going to be needed and how much the timber harvest is going to have to go down.

20

21 But the economic concerns in Southeast Alaska as well as the habitat concerns are somewhat -- we've got to the point where we can't have both to the full extent that we would like. And we need to ensure that the habitat concerns are fully considered and what we do is legal and appropriate to the concerns of the people of Southeast Alaska, including the subsistence concerns, certainly.

28

29 So I guess those are the best guesses that I can make right now concerning how we're going to go ahead and what is going to have to happen as we do that and as we continue in the planning.

33

34 CHAIRMAN THOMAS: Okay. Two more points I'd like to share with you is that you mentioned early in your presentation the ills that have been plaguing the Northwest, not wanting to see that same thing occur in Southeast. In the last two or three decades, we've learned to take pride in our hindsight; we all say that our hindsight often is 20/20 vision which it doesn't get any better than that. So besides having that good vision, I think we need to figure out something to do with that rather than to find ourself back exactly where we didn't want to wind up.

44

45 The second point I would like to make, one thing that's disturbing within the Native community is we don't always like to be separated when you talk in terms of science, professionalism, qualified management because science in the Western definition generally requires some collegiate

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background and some sophisticated techniques of education that Western society has introduced. The Native community would like their science background that have been here forever, that have demonstrated the best management techniques of any resource to be at least regarded and acknowledged in those considerations. That's not an admonishment, that is just something for your information. And it's something that comes up in discussions like this. And so whether that's embraced by everybody or not, we don't know, but that's the posture of much of the community. And .....

11

12 MR. VAUGHT: Yes. I would like to comment on that, if  
13 could.

14

15 CHAIRMAN THOMAS: Sure.

16

17 MR. VAUGHT: I believe that our feeling at this point  
18 that, perhaps, in the past we have spent not enough effort  
19 providing science in the sense that the Forest Service thinks  
20 of science with people that are scientists as well as the  
21 science that is available from the Native community. And I  
22 truly did not intend to leave the impression that one is better  
23 than the other. They're -- the Forest Service, as a part of  
24 this planning effort, feels that both of those areas have not  
25 had enough emphasis in the past and need to be improved. And  
26, I agree and concur with your statement, and I appreciate  
27 the correction because oftentimes as a bureaucrat -- and I hope  
28 and I try to be a bureaucrat that is aware of the issues and  
29 concerned about the proper way of doing business. But often,  
30 as an agency, the Forest Service, needs that reminder and  
31 admonishment. So thank you.

32

33 CHAIRMAN THOMAS: Thank you very much. Don't apologize  
34 for the bureaucracy, we're working really hard to be one.  
35 Bonnie.

36

37 MR. ANDERSON: Bob, I'm glad that you are finally  
38 paying attention to habitat. I was looking in the local  
39 newspaper last night or something, and at Icy Bay there was  
40 four buffer zones there. And this is a concern that I would  
41 have you speak of, specie protection and things of that sort,  
42 when you have 65 foot buffer zones throughout your streams. We  
43 realize that with the blowdown we can show you on Kupreanof and  
44 Kuiu Islands where your expertise has left buffer zones and  
45 that's blown down. I'm sure that our Tlingit ancestors would  
46 have -- their science would have taught them to not cut the  
47 trees down close to the streams.

48

49 What is going to be the outlook on buffers? You know  
50

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that our species primarily are close to the streams, deer especially, and things of that sort. But if you take the Habitat into a 65 foot barrier, you terminate those. Is that going to be a major concern in the .....

5

6 MR. VAUGHT: Yes.

7

8 MR. ANDERSON: ..... presentation?

9

10 MR. VAUGHT: Yes, it is a major concern. As I stated, protection of streams, aquatic zones and fisheries is one of the major issues that we are going to be dealing with. The buffers and how much buffer protection to provide to the streams and the fisheries resource is very much on the front burner as an issue as to whether it is adequate and what additional measures are needed if it is not adequate.

17

18 Currently we have a 100 foot buffer requirement on either side, so a total of 200 feet minimum for any stream that has fish in it, any fish in it, regardless of whether they're salmon or small headwater trout or other species. Our average buffer on the Tongass National Forest right now runs about 160 feet. And so our biologists, as they work on the ground, are already recognizing that greater, wider buffers are needed particularly for the reasons of blowdown. There is still some question as to whether that's adequate, particularly in the steep streams where there are not fish but streams that are on the steeper hillsides that are a part of the entire stream ecosystem that feed the lower streams where the salmon do spawn.

31

32 And so those -- that issue, whether additional protections are needed higher in the watershed on streams, is going to be a question that we're going to have to resolve. And so I don't have any best guess as to what the resolution is going to be at this time, but it certainly is one that we're going to have to look at carefully.

38

39 MR. ANDERSON: I would consult our Tlingit scientists. They have -- seem to know quite a bit about where the winds blow through the valleys and things of that sort, the Native villagers. They are much more than say someone who's .....

43

44 CHAIRMAN THOMAS: Could you move the mike closer, Ann? 45

46

47 MR. ANDERSON: Pardon?

48

49 CHAIRMAN THOMAS: Can you move the mike closer to you?

50

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1  
2 MR. ANDERSON: I think -- I was encouraging them to use  
3 local knowledge as much as possible on the prevailing winds.  
4 You can come in on a experimental trip for a week or so and  
5 maybe no winds and just take everything for granted, you know.  
6 The people that's lived there has the knowledge of eons on  
7 that instead of just fly-by-the-night expertise.

8  
9 MR. VAUGHT: It's very good advice, thank you.

10  
11 MS. ROBINSON: Was that 160 feet total, the average?

12  
13 MR. VAUGHT: A hundred and sixty feet on each  
14 side .....

15  
16 MS. ROBINSON: On each side is the average?

17  
18 MR. VAUGHT: ..... is the current average. And I  
19 should qualify that.

20  
21 MR. ANDERSON: We're both saying the same thing.

22  
23 MR. VAUGHT: I've lived and worked in Southeast Alaska  
24 the last four years in Ketchikan, and I believe that's the  
25 number for the Ketchikan area. There may be some slight  
26 differences in the Sitka area and the Petersburg area. So I am  
27 most familiar with the Ketchikan numbers, and those are our  
28 numbers on Ketchikan right now.

29  
30 MS. ROBINSON: Okay. Thank you.

31  
32 MR. ANDERSON: Bob, one thing, I was mistaken on the  
33 Bay Bay, it was a State sale on that sale.

34  
35 MR. VAUGHT: Yes. Yes. The State does have different  
36 requirements than the Forest Service.

37  
38 MR. ANDERSON: And there was a couple of miles of  
39 slowdown right across the salmon streams or something of that  
40 sort, 65 foot buffers.

41  
42 CHAIRMAN THOMAS: Dolly.

43  
44 MS. GARZA: Yes. So the environmental assessment that  
45 you refer to is specific to goshawk?

46  
47 MR. VAUGHT: It is specific to the question of  
48 viability as well as goshawks.

49  
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1 MS. GARZA: Okay.

2

3 MR. VAUGHT: There are goshawk nests protections in  
 4 this EA which you will be seeing in the next couple of days  
 5 from 600 acres around nest structures all the way up to eight  
 6 miles buffer protection around some nest structures.

7

8 MS. GARZA: Okay.

9

10 MR. VAUGHT: The HCA part of it is areas which are  
 11 protection zones which are scattered around the Tongass  
 12 National Forest, and they're carefully located so that animal  
 13 species can have patches of old growth habitat, undisturbed old  
 14 growth habitat. And they can -- there is no worry about large  
 15 zones where a lot of timber harvesting is occurring so that the  
 16 animals can't migrate from one area of good habitat to another  
 17 area of good habitat. So they're carefully located around the  
 18 Tongass in order to provide the animals the opportunity to move  
 19 through the Tongass National Forest in a more natural way.

20

21 MS. GARZA: Okay. Will there be a similar assessment  
 22 one for wolves?

23

24 MR. VAUGHT: Our plan right now is to deal with the  
 25 question of wolves as a part of the Forest Plan revision  
 26 itself. We felt we needed to do something quickly with the  
 27 goshawks and quickly on the viability question, and that we  
 28 could not wait a period of 18 months until the Forest Plan was  
 29 completed to do those things. On the wolf itself, we believe  
 30 that there is enough time to deal with that question as a part  
 31 of the Forest Plan, and we don't need to do something today to  
 32 deal with that question.

33

34 MS. GARZA: Okay. Do you have a date at which you  
 35 think that the TLMP will be finalized, is there a projection?

36

37 MR. VAUGHT: Our current projection right now is the  
 38 end of the year in 1995 or early in the year, the first few  
 39 months, in 1996.

40

41 MS. GARZA: Okay.

42

43 MR. VAUGHT: There are still some substantial questions  
 44 that must be resolved before we can pin those dates down. It's  
 45 really still too early in the planning to even pin those dates  
 46 down. There are funding questions and there are some  
 47 additional team members that we need to hire, to bring them to  
 48 Anchorage and get them working on the plan, and sometimes those  
 49 things take longer than we think. But that's our projection

50

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right now.

2

3 MS. GARZA: Okay. I have one final question,  
Mr. Chairman. In terms of the caves and protection, will you  
also be considering the use of the caves by the indigenous  
people as resting sites and have those caves protected along  
those lines? I guess my concern is, you know, this last summer  
they had a couple of big articles about all the caves on Prince  
of Wales and everybody should go there and look at them all.

10

11 MR. VAUGHT: Yes. There's a great deal of concern by  
our cave specialists as well as a number of people from the  
Native community, I'm most familiar with Prince of Wales, that  
have expressed those concerns to us. We do not give out the  
locations of caves to the public for that very reason. We keep  
that on a need to know basis in confidential files. There are  
a few caves that we have made available to the public and made  
those locations available to the public so that people that are  
interested in the caves will be able to see them and will know  
where to go. And so there are very few caves right now that  
we've done that with.

22

23 In those instances, we have utilized our archaeologists  
and local members of the Native community in those areas to  
ensure that there are not sites or other areas that could be  
damaged as a part of those caves that we have essentially  
advertised. So there's just a very few that we allow people to  
go into like that, and most are kept very, very confidential  
because of that reason. We have certainly found, in the last  
50 years, a tremendous number of caves that have had very  
important historical value from a number of different reasons.  
And every time we turn around, we find more. And so we  
certainly are recognizing more and more the need to be careful  
that caves are not damaged inappropriately.

35

36 MS. GARZA: Okay. Thank you.

37

38 CHAIRMAN THOMAS: You bet. Any further -- Richard.

39

40 MR. DALTON: Yeah, Mr. Chairman. I'm hearing about the  
buffer zone, Protection Act and of habitat. I'm concerned  
about Hoonah area or the Icy Straits, Cross Sound. It seems  
that Forest Service is in contrary to the historical use of the  
customary food that we value as consuming on our table. Now,  
it's commercial entity, yet we have to justify feelings and  
whereby we have to protect this fish.

47

48 And what I'm saying is that the Forest Service  
biologists in Hoonah is in violation with the Tlingit law of

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interfering with the species by transplanting the silver fish  
 in violation to the tribal of that fish. It has not  
 materialized. It seems to me like the Forest Service is at  
 fault when they do these things here, but they do it because  
 they have that law, and they go ahead and try to transplant it.  
 Every creek that they tried a experiment in Hoonah has never  
 materialized. And that's really interfering with the natural  
 stock, and I think we should leave the natural stock alone.  
 Because this year with the Fish & Game biologists saying that  
 we were not expecting any big, heavy return, and we did in Icy  
 Straits. Right now, they did not tell those fishermen go  
 ahead and fish the surplus. A lot of them, about 700,000 died  
 off in the streams of Schendaheen (ph) and Freshwater Bay  
 because they did not allow the fish to be caught as a surplus,  
 that's on the humpies.

16

17 Why? Because the hatchery has got the authority to  
 transplant or do whatever they do. And the return is getting  
 heavy on some fish that is imitation. And some of these fish  
 come from Atlantic which poisons our fish here in Alaska. And  
 I think the most important thing is the habitat should be  
 protected from any kind of disease that might come into those  
 rivers and deplete it, because you and I will be in trouble if  
 we allow these things to happen.

25

26 Hoonah, first instance, this year we got a lot of  
 return in silvers. And now, the Forest Service is  
 experimenting, taking a lot of eggs from one little area and  
 trying to take it to another area. And that's -- we know for a  
 fact it's not going to materialize because we know the culture  
 of that fish. We know that, we lived in that style of life and  
 that became a natural biologist. So we know the natural  
 history of these lives like the whales and the others, that  
 belongs to us entirely because that's the only way that we will  
 have a right to protect our interests in the Fish & Game  
 Department.

37

38 So I think that experimentation, if you're going to  
 experiment, I think you have a right to consult with the  
 Tlingit people or the Haida people or even up Interior with the  
 Eskimos and the Athapaskans because they have a similarity as  
 we have. So I think when you experiment, you're probably the  
 most dangerous to those species. So this is the feeling that's  
 coming from Hoonah. We try to stop the biologists but they got  
 law protecting them, they can go ahead and do as they please  
 with our species.

47

48 CHAIRMAN THOMAS: Okay. Let's keep our comments to  
 questions, please. To comments and to get into a discussion,  
 50

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Sometimes the presenter isn't prepared to do that. So as a courtesy, let's confine our remarks to questions. Vicki.

3

4 MS. LeCORNUE: I just wanted to, I guess, add to what Richard said. Mr. Vaught made a statement that it would be -- they're checking for legal and appropriate measures. Well, as Richard pointed out, those legal and appropriate measures are not our legal and appropriate measures. What we have is customary and tradition. So there is a variation there that is leaving us on the bottom side of the legal, and I think that's a difference that we noted.

12

13 CHAIRMAN THOMAS: Okay. Those kind of .....

14

15 MR. VAUGHT: Yes.

16

17 CHAIRMAN THOMAS: ..... cases we need to resolve on a Council level. If we've got any changes in the language to offer, we could do it at that time. Patty.

20

21 MS. PHILLIPS: You stated that you would work with Native groups, and then you also stated that team members needed to be hired in order to -- before the '95/'96 approval of TLMP. Would Natives -- would a Native or Native group be a part -- be a team member of this working group? Are you looking to hire Natives to be part of this working group for approval of TLMP?

28

29 MR. VAUGHT: One of the unfortunate things is that our budget and how much we are going to be -- have available to us as a TLMP team and the number of positions that we're going to be able to hire and which positions those are have not been finalized yet. The Federal Government is on a fiscal year from October to October, and so October 1st through September 30th of the next year. And so we've just started our new year, we just have a new budget, and we're going to have to work through some of those issues before we can even determine the kind of people and how many that we're going to be able to hire.

39

40 MS. PHILLIPS: But who do you .....

41

42 MR. VAUGHT: It is certainly our -- we actually do have a tentative plan to put a person on the team to deal very specifically with the issues of the Native community. I hope that we can continue to implement that initial plan, but there is a great deal of planning and question that still needs to take place.

48

49 MS. PHILLIPS: In our past meetings, we've had several

50

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community members from Native communities and their main public opinion has been incorporating their traditional science into the management of our resources. And I'd like to see that person be a Native person.

5

6 You talked about habitat conservation areas, is that corridors, is that habitat corridors, could that be another term or is corridors separate from conservation areas?

9

10 MR. VAUGHT: It's a little bit different. Habitat conservation areas are specific, it's kind of like circles of area where no timber harvest is allowed. Then you have -- excuse me. Then you have maybe another one up here. And the corridor is the habitat that you have between those two what we call HCAs. And so corridors are a little bit different but they are associated with habitat conservation areas.

17

18 The current EA that is coming out in the next couple of days does not deal with corridors. And the reason for that is because this EA is an interim measure, it is a very short-term measure to be implemented only until the Forest Plan is completed. And we hope that the Forest Plan is going to deal with how many corridors they need to be and what kind of corridors they need to be or even if we have an HCA approach, there are several alternatives. HCAs and corridors are one approach, there are others. And so there are many issues that are going to have to be dealt with as a part of the Forest Plan. And this -- the HCAs is just a first, short-term interim measure and it does not include corridors.

30

31 MS. PHILLIPS: Who could this advisory committee communicate with to recommend that a Native group or individual be involved in this TLMP management -- this TLMP issue?

34

35 MR. VAUGHT: I will take that recommendation back with me today based on your comments. If you would like to provide written comments to that effect, you may do so. To tell you the truth, I did not bring the address with me, but we have an address. And I can talk to some people here that will get that address for you to provide written comments to us. We would be happy to take those.

42

43 MS. PHILLIPS: To promote the belief in our Council, we need to follow through on what some of these people have publicly testified. And this, to me, would be one step in that direction. Thank you.

47

48 CHAIRMAN THOMAS: Okay. Anybody else? John.

49

50

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1 MR. VALE: Thanks. You might have partially answered  
2 one question I had, and that is when will the public comment  
3 period be on TLMP once again? I'll let you get that one, then  
4 I'll go on.

5  
6 MR. VAUGHT: The main period of public comment will be  
7 after the draft. What we're going to do is work on another  
8 draft. A draft is a big document that involves some tentative  
9 decisions for the public to review and to give us their  
10 comments on. So the way the process works is we need to make  
11 some initial guesses, some initial decisions and we call that a  
12 draft. The draft we hope will be done by next summer, perhaps  
13 the middle of the summer, next year, and then there will be a  
14 specific comment period on that draft.

15  
16 Most of the work with the public and people that are  
17 interested in the decisions that we make take place after the  
18 draft is released. Because the draft is going to contain a  
19 number of alternatives, a number of different ways that we  
20 could do business. And it's designed to provide a range of  
21 different options on how we could approach these decisions.  
22 And so most of our public involvement effort will be after the  
23 draft which is next summer.

24  
25 MR. VALE: Okay. Thanks. And you know, we've been  
26 together about a year now, this is our third meeting. And one  
27 thing we've heard at all our meetings is concerns from Council  
28 members and members of the public about the effects of clearcut  
29 logging it's having on wildlife populations, in particular,  
30 deer. We've heard, you know, a lot of concern about loss of  
31 habitat for deer and declining deer populations in some areas  
32 that people feel is a result of clearcutting. And I recall a  
33 meeting in 1985, a Regional Council meeting I went to, where  
34 the Forest Service came up with a deer model that basically  
35 showed declining numbers of deer available, if I remember  
36 correctly, as the ever increasing amount of timber gets  
37 harvested.

38  
39 And so I'm kind of wondering in the planning process  
40 how you're taking the needs for habitat protection for deer, in  
41 particular, and the subsistence uses and needs for those  
42 animals. That seems to be an important issue to many people.  
43 And I guess the habitat conservation areas, to me, seems like  
44 the answer to protecting those animals. So what are your  
45 thoughts on that?

46  
47 MR. VAUGHT: Well, I'm afraid that I will have to say  
48 that that's one of those issues that we certainly know is out  
49 there, and we're not far enough along into the planning process  
50

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right now to describe how we're going to deal with them. So it's one of those things that we're going to have to put a lot more time and effort in over the next few months to try to figure out how we will deal with the deer models and the population estimates that we do have that are associated with those.

7

8 I know that's not very satisfactory at this meeting but we're just not far enough along at this time to describe the answers or some of the solutions that we're going to be looking at.

12

13 MR. VALE: Okay. And the last thing that I have is that -- it's sort of in the form of a comment. But it has to do with Section 810 of Title VIII which allows, you know, the withdrawal of lands that are important for subsistence uses for other purposes. And part of 810 requires notification and consultation with regional councils. And other aspects of it require that the -- they have the minimum -- these withdrawals of lands have the minimum impact possible on subsistence uses.

21

22 And I guess what I'm trying to say is I don't feel like either as a State Regional Council in the past or as a Federal Regional Council now that as of yet we've seen much consultation with the Forest Service as to what their actions are likely to do to subsistence uses. And I guess what I'm saying is that I feel the Forest Service needs to make a big effort that when subsistence uses are impacted through development projects, to point out what those are to the Regional Council here and also point out how they're the minimal amount of public lands necessary and what reasonable steps are being taken to minimize the impacts on subsistence uses. And I -- that's my comment, I feel like that the Forest Service needs to do that.

35

36 MR. VAUGHT: Duly noted. Thank you.

37

38 CHAIRMAN THOMAS: Any further questions? Are you going to be around the meetings or are you going to be gone or .....

40

41 MR. VAUGHT: I have a number of other meetings later this morning and this afternoon, so I'll have to go before too long but I'll try to stay around for a little while.

44

45 CHAIRMAN THOMAS: Okay. Well, I think some of the most pressing questions and points have been exchanged, and I really thank you for the time and the overview that you shared with us. I've seen volumes of TLMP and I don't wish that on anybody. You got to have a handcart to take them around, and

50

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that is just more than overwhelming. But thank you very much.  
 And if we do have questions, I guess we'll have an address we  
 can contact at later dates and offer further comments or input  
 or questions or that kind of thing.

5

6 MR. VAUGHT: I'll get that information to you.

7

8 CHAIRMAN THOMAS: Thank you very much. Mim.

9

10 MS. ROBINSON: Yeah. One question and then a comment.  
 11 John, how do you spell your last name?

12

13 MR. VAUGHT: My last name is V as in Victor, A-U-G-H-T,  
 14 Vaught.

15

16 MS. ROBINSON: Okay. Thanks. And then also, just for  
 17 your benefit and the Council and other bureaucrats that are  
 18 here too and stuff. The -- I would have -- the question that  
 19 Patty asked, I would have phrased it a little differently, in  
 20 fact, I was thinking of asking it. And John kind of touched on  
 21 it too. And what I was wondering as you made your presentation  
 22 what members of the public would be involved in this Pacific  
 23 Northwest, you know, council or whatever it is that you guys  
 24 have put together?

25

26 And what I, at this time, would like to remind people  
 27 here that this Council is not a Native council. It is a rural  
 28 you know, this whole thing is a rural/non-rural subsistence  
 29 I mean, that's why we're here. And last year, I had felt it  
 30 necessary to read something from the Record of Decision on the  
 31 subsistence management for federal public lands in Alaska. And  
 32 on Page 27 it stated: Subsistence in Alaska is not an  
 33 exclusive Alaska Native activity. It is not racially based.  
 34 Rural residents relying on the subsistence preference in  
 35 ANILCA, Title VIII comprise 30.4% of the total Alaska  
 36 population according to the 1990 census; of that rural  
 37 population, 28.7% are Native and 71.3% are non-Native.

38

39 So it's just kind of a friendly reminder that, you  
 40 know, for why we're here. And I would appreciate it if, you  
 41 know, the emphasis got just a little bit away from the Native  
 42 thing. It just -- I understand how people feel, how you guys  
 43 could feel strongly about it and stuff, but let's not make this  
 44 Native/non-Native thing going on here. Let's keep  
 45 subsistence in mind. There's a lot of people that subsist on  
 46 what's out there. I'd love to be home doing it right now, you  
 47 know. But anyway. Thank you.

48

49 MR. VAUGHT: You point out some of the .....

50

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1  
2 CHAIRMAN THOMAS: Thank you, Mim.

3  
4 MR. VAUGHT: ..... very significant complexities of the  
law with which we must deal. There is a very significant  
disagreement, as you well know, between the State of Alaska and  
the Federal Government on subsistence and what it means and how  
to define it. And the resolution of that is totally unknown at  
this point. But there are many of these -- many, maybe  
hundreds of these complications between law and doing what's  
right for the people that are involved. And it is -- I guess  
if nothing else, maybe feel sorry for us a little bit and try  
to understand that these complexities are very -- there are  
very many of them, they are very broadly based according to the  
issues that we deal with, and it is tough to keep them sorted  
out and to keep a proper perspective.

17  
18 CHAIRMAN THOMAS: Yeah. Well, it is a regional  
council, but when the Federal Government came up with the  
language to use the term "rural," the rural was a protection  
that the Federal Government had assured the Native community.  
You know, they were making reference to rural communities in  
1940 that were predominantly Native, and at that time, that was  
the intent. Since then, the characteristics and the  
chemistries of the communities have changed. But the  
designation of rural still remains regardless of who's there.  
So there's truth in both scenarios. Gabe.

28  
29 MR. GEORGE: Yeah, thank you, Mr. Chairman. There is a  
couple of things that I'd like to touch on. One is on TLMP and  
right -- you're right, there's volumes and volumes of  
information that came out of the Forest Service. And I worked  
with the Forest Service at one time. But in terms of  
subsistence, if you remember right -- or if I remember right,  
here's a little paragraph accompanying each part of the study  
that was taken -- undertaken about habitat and everything else  
stating that subsistence would not be significantly impacted  
and that was all they said. And that was all that was put in  
TLMP, you know, in terms of subsistence protection and who it  
affects.

41  
42 And I'm hoping -- and you know, I'm not hoping, I'm  
sitting here -- that when it does come around and if there is  
just a paragraph stating that the subsistence use of the  
resources under the new TLMP provision is going to state that  
there is no significant impact. TLMP isn't going to go  
anywhere. I think there needs to be, you know, a definite  
study and analysis taken just as much as it has taken -- that  
takes part in fish streams, buffer streams, habitat. It's the  
50

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impacts that cutting our timber affects, you know, everything  
in the resources in the Tongass.

3

4           So anyway, I just wanted to touch on TLMP and what it  
said about subsistence. I guess in response to Mim that yeah,  
I worked with the study done in the Subsistence Division and  
talked to a lot of non-Natives and Natives alike. And yes, the  
law states, you know, rural. At one point, it was going to  
state Native but there were some things happening in D.C. that  
no one has control over, you know, and I guess that's where the  
compromise and where the "Natives" lose in the definition and  
in the intent and everything else. But if you read the intent,  
I think there's some intent there to recognize customary and  
additional.

15

16           And like I said -- stated earlier, there's a lot of  
things that are arbitrarily stated, whether it be dates or  
whatever, that significantly impact both Native and non-Natives  
both positively and negatively. And like I stated on the  
allotments, Native allotments, which is different than anything  
else here, but nonetheless, you know, you had to be head of the  
household, you had to apply before 1906 'cause Tongass came in,  
and everybody was cut off and nobody told them.

24

25           Now, I don't know where that sits in the world of where  
we're sitting here now, but the significance of legislation and  
the impact it has on rural residents is -- and Natives is  
significant, and that's what we need to deal with.

29

30           Thank you.

31

32           CHAIRMAN THOMAS: We'll still be reminded that it is a  
rural issue and we'll keep it that way and everybody  
appreciates reminding us and we can all use them. And we thank  
everybody for that. Somebody want to be recognized?

36

37           MS. LeCORNU: Mr. Chairman, I .....

38

39           CHAIRMAN THOMAS: When you're raising your hand, I  
can't .....

41

42           MS. LeCORNU: Okay.

43

44           CHAIRMAN THOMAS: ..... always see you so .....

45

46           MS. LeCORNU: All right.

47

48           CHAIRMAN THOMAS: ..... either call me or let -- make  
sure I see you.

50

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1  
2 MS. LeCORNU: Thank you, Mr. Chairman. I wanted to  
3 comment on that rural description. As Gabe said, subsistence  
4 shouldn't -- or can't be significantly and negatively affected,  
5 and it shouldn't be by this determination. If we're going to  
6 use this determination to wash any customary and traditional  
7 uses, then we're not effecting the change that we want for a  
8 distinct people to survive. We're not talking about distinct  
9 communities any more, we're talking about rural communities.  
10 But the taking will be from a distinct group of people, and so  
11 I have a real problem with that distinction being blurred.

12  
13 CHAIRMAN THOMAS: That's part of the complexities of  
14 the customary and traditional determination. That's going to  
15 be one of our greatest challenges is when that does happen that  
16 we have as much accurate input as we can possibly give them.  
17 And so it's something that we need to keep on top of our minds,  
18 in front of our minds, and keep pursuing it and ask questions  
19 from people that are available. And thanks again, Mr. Vaught,  
20 we really appreciate your indulgence. Thank you.

21  
22 MR. VAUGHT: Thank you, Mr. Chairman.

23  
24 CHAIRMAN THOMAS: Okay. Next is a two minute coffee  
25 break, and then we'll come back. If there's others that need  
26 to be included on the agenda, we can do it at this time. Later  
27 this afternoon and tomorrow we'll be hearing from the  
28 Southeast Alaska Conservation Council, and they have some  
29 laws regarding TLMP as well. Lonnie?

30  
31 MR. ANDERSON: Coming back, we'll have a motion to  
32 submit a letter from this group to Mr. Vaught's group  
33 concerning the questions that has been raised in this forum.

34  
35 CHAIRMAN THOMAS: You bet.

36  
37 (Off record)

38  
39 (On record)

40  
41 CHAIRMAN THOMAS: Okay. When we went on break, some  
42 members of the Council indicated they would like to write a  
43 letter or a resolution to the Forest Service regarding some of  
44 the comments that were exchanged during our last presentation.  
45 So given that information, Lonnie, do you have any more to --  
46 Lonnie, could you clue us in on what you were mentioning before  
47 we went on break regarding the letter?

48  
49 MR. ANDERSON: I was thinking that, you know, some of  
50

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the concerns that different individuals had that they may want  
to give us a paragraph of the concern, and then have a  
committee adopt a letter that would make sense. Maybe Carol  
could do the editing for it.

5  
6 CHAIRMAN THOMAS: Okay.

7  
8 MR. ANDERSON: We could just wait until she gets back  
and follow her lead.

10  
11 CHAIRMAN THOMAS: Let's do it now and then broadside  
her when she comes in.

13  
14 MR. ANDERSON: Okay.

15  
16 CHAIRMAN THOMAS: Did everybody on the Council hear  
that?

18  
19 MS. ROBINSON: No.

20  
21 CHAIRMAN THOMAS: Okay. Lonnie suggested that based on  
some of the comments and questions that were exchanged during  
Mr. Vaught's presentation that it might be a good idea for us  
to draft a paragraph for discussion and -- was it to send them  
a letter, Lonnie?

26  
27 MR. ANDERSON: To Bob and .....

28  
29 CHAIRMAN THOMAS: Yeah.

30  
31 MR. ANDERSON: ..... his group.

32  
33 CHAIRMAN THOMAS: Yeah. So .....

34  
35 MS. ROBINSON: Bob who?

36  
37 CHAIRMAN THOMAS: Vaught.

38  
39 MS. ROBINSON: I thought his name was John. It's Bob?

40  
41 MR. ANDERSON: Bob, Robert Vaught.

42  
43 MS. ROBINSON: Okay. I'm glad I got that straight.

44  
45 CHAIRMAN THOMAS: Okay. The more I think about it, the  
better it looks like we better wait till Carol gets back.  
Where she is now.

48  
49 MR. ANDERSON: Carol, we would like to draft a letter  
50

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With your expertise to the Forest Service, reference TLMP,  
~~emphasizing~~ some of the terms, questions that was brought out  
~~in~~ our previous discussion. Could you draft up the outline?

4

5 MS. JORGENSEN: Yes, Mr. Chairman. I've got the letter  
~~half~~ done already so .....

7

8 CHAIRMAN THOMAS: She's a mind reader, see. We'll see  
~~that~~ you get a salary increase before this meeting's over with.

10

11 MR. ANDERSON: Mr. Chairman, I make the motion that we  
~~send~~ a letter to the Forest Service in reference to the TLMP  
~~report~~ expressing our concerns that has been expressed here.

14

15 MR. GEORGE: I'll second the motion.

16

17 CHAIRMAN THOMAS: You heard the motion, there's a  
~~second~~. Any discussion?

19

20 MR. DALTON: Question.

21

22 MS. GARZA: If I could clarify that motion a bit. I  
~~would~~ request that we send a letter requesting Native  
~~involvement~~ in the planning team, that was Patty's request, and  
~~that~~ the Southeast Advisory Council be informed and involved in  
~~the~~ TLMP process. Does that sound okay?

27

28 MR. ANDERSON: That's what I said.

29

30 MS. GARZA: Yeah.

31

32 MR. GEORGE: A rural Native.

33

34 CHAIRMAN THOMAS: A rare Native?

35

36 MR. GEORGE: Yeah, rare rural.

37

38 CHAIRMAN THOMAS: Or rural rare. Further discussion?

39

40 MR. DALTON: Question.

41

42 MR. GEORGE: Question.

43

44 CHAIRMAN THOMAS: The question has been called. All  
~~those~~ in favor say aye.

46

47 IN UNISON: Aye.

48

49 CHAIRMAN THOMAS: Those opposed, same sign.

50

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1  
2 (No opposing responses)  
3

4 CHAIRMAN THOMAS: The motion is carried. In regards to  
5 TLMP, like I mentioned earlier, we're going to have another  
6 presentation from the Southeast Alaska Conservation Council.  
7 Let me read you the letter that he sent me. He said: Dear Mr.  
8 Thomas, I enjoyed our brief conversation at the Wild and Scenic  
9 Rivers presentation in Ketchikan last week. As you may  
10 remember, we traded some ideas about subsistence and the  
11 upcoming Tongass Land Management Plan revision. I would like  
12 to ask for a few minutes at the upcoming Regional Advisory  
13 Council meeting to present the Southeast Alaska Conservation  
14 Council views on subsistence and the TLMP revision process.

15  
16 As you may know, SEACC, that's the acronym for their  
17 Council, is a coalition of 15 conservation groups in 12  
18 Southeast Alaskan communities. Many of our members are  
19 subsistence users. We think it is critically important to  
20 ensure continued subsistence opportunities on the Tongass  
21 National Forest and protect against subsistence restrictions.  
22 Provisions for subsistence opportunity should be one of the  
23 most important objectives of the Forest Service as it revises  
24 TLMP, the plan that will guide Tongass Management Plan for the  
25 next 10 to 15 years.

26  
27 We would like the Southeast Regional Advisory Council  
28 consider passing a resolution in favor of creating an  
29 official subsistence land use designation, and that acronym is  
30 BUD, for the TLMP. The purpose of the subsistence LUD would be  
31 to identify and maintain those areas of greatest importance to  
32 subsistence users. At the same time, other lands would still  
33 be protected at the same level as they are currently. In other  
34 words, protecting some areas more does not mean protecting  
35 everywhere else any less.

36  
37 And so he does have a presentation he wants to give us  
38 with some reference -- or an emphasis on TLMP. He also has  
39 about a 20 minute slide show that is called the Wild and Scenic  
40 Rivers. And I saw that last week in Ketchikan, and it's  
41 interesting and intriguing pictures, and some of them are  
42 photos that I'm sure will be of interest to people here that  
43 are concerned about subsistence. So we'll offer that man some  
44 time on the agenda whenever he can -- whenever we have another  
45 break in our agenda and if he's here. He had to leave this  
46 morning to attend the teleconference.

47  
48 Given that, was there any other presenters, any other  
49 items that we need to -- Mim.

50

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1  
2 MS. ROBINSON: Actually, I've got a couple things, but  
3 one is just in reference to the letter that Carol's working on.  
4 I was just -- I'm not sure how you intended to deal with the  
5 draft that she's doing, but seeing how she's a Forest Service  
6 employee, it's probably not real appropriate that she be  
7 writing this letter commenting on a Forest Service plan. So if  
8 -- whatever she's doing up, maybe a group from the Council here  
9 can get -- use her draft just as a basis for the letter and so  
10 that it's not -- .....

11  
12 CHAIRMAN THOMAS: No conflict.

13  
14 MS. ROBINSON: ..... no conflict there. Was there any  
15 other comment on that? I have another .....

16  
17 CHAIRMAN THOMAS: Comment?

18  
19 MR. GEORGE: Yeah. On that, I believe that, you know,  
20 Carol works for us, you know.

21  
22 MS. ROBINSON: Um-hum.

23  
24 MR. GEORGE: And, you know, first and foremost. She  
25 doesn't work for the Forest Service or I don't think she does.

26  
27 CHAIRMAN THOMAS: They just pay her.

28  
29 MR. GEORGE: They -- yeah. 'Cause she need -- there  
30 needs to be an office, you know.

31  
32 MS. ROBINSON: Um-hum.

33  
34 MR. GEORGE: But other than that, the letter is  
35 supposed to just be reflecting the concerns that we  
36 stated .....

37  
38 MS. ROBINSON: Um-hum.

39  
40 MR. GEORGE: ..... as a Council.

41  
42 MS. ROBINSON: Yeah.

43  
44 MR. ANDERSON: Well, the Chairman can sign the letter.

45  
46 MS. ROBINSON: Yeah.

47  
48 MR. ANDERSON: We don't -- I'm sure we over on this end  
49 of the table don't mind that.

50

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1  
2 MS. ROBINSON: Okay.  
3  
4 CHAIRMAN THOMAS: Mim.  
5  
6 MS. ROBINSON: Okay. The other thing was John and I,  
during the break, John Feller and I, were talking about the  
8 three past Council members that are no longer with us and  
wanted to recognize their past service, and I'm sure you all  
feel the same way. And we were discussing ways of doing that,  
and one would be either a letter -- one that I thought would be  
nice to see, to have a plaque made up for them, you know, in  
recognition and appreciation of your service or whatever. I  
don't know what it would say but with the date on it, you know,  
the year and whatever. Does an- -- .....  
16  
17 CHAIRMAN THOMAS: I think that's a good idea. I've  
considered the same thing. As far as a plaque is concerned, I  
guess we can explore what budget might be available for that; I  
know it isn't very much to have a plaque made up.  
21  
22 MS. ROBINSON: Um-hum.  
23  
24 CHAIRMAN THOMAS: But still, the expense has to come  
from somewhere and, perhaps, we can explore that. And I think  
you're right, I think a person's term here should be recognized  
and acknowledged because .....  
28  
29 MS. ROBINSON: It's important.  
30  
31 CHAIRMAN THOMAS: ..... to reach this point, you had to  
pass a bunch of hurdles demonstrating your commitment and your  
concern about the issue, and so I agree. In any case, I intend  
to send each of them letters from me as the Chairman .....  
35  
36 MS. ROBINSON: Um-hum.  
37  
38 CHAIRMAN THOMAS: ..... with that regard but .....  
39  
40 MS. ROBINSON: That might be nice with a plaque.  
41  
42 CHAIRMAN THOMAS: Yeah. So if we could do that.  
Carol, could you explore that for us?  
44  
45 MS. JORGENSEN: Um-hum.  
46  
47 CHAIRMAN THOMAS: A good idea, thank you, Mim.  
48  
49 (Off record comments)  
50

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1  
2 CHAIRMAN THOMAS: Okay. We have a member in our  
audience that has some comments and I'm sure a presentation for  
4s. Ray Nielson from Sitka has been very interested in what  
we're doing. He sends correspondence to Board meetings. One  
6 correspondence that he sent to the Board meeting was I think a  
7eal impacting factor that led the Board to make a decision  
without a lot of debate in the Region's favor. So with that,  
9'd like to, at this time, give some time to Ray for his  
presentation. And let's take it easy on him because I don't  
know how much he's prepared to answer questions; and if he's  
not, we won't ask him to respond to questions, but if he will,  
we will do that.

14  
15 Ray, if you would, please.

16  
17 MR. NIELSON: Thank you, Mr. Chairman, Board members.  
18's always a pleasure to be here in front of a favorable  
board. And I had a few comments on just the harvester issue,  
but Mr. Feller changed the outlook of things yesterday, so I  
kind of broadened it. And since the Board was -- went the same  
way, so I redid my presentation. I would like to make a few  
20mmments.

24  
25 At the present time, Sitka Tribes Traditional Food  
26ogram provides Native foods for 22 groups, agencies, staff,  
27ouncil, tribal committees and also City and Borough of Sitka  
28ommittee meetings, at planholder meetings at Sitka Tribe and -  
29that concerns tribal Natives. And we also have special out  
30 town guests that come that meet; at this time, it's people  
31nning for political offices. And they are concerned that the  
32ibal's way and which way we're going and how we look at them  
33 how they perceive what we are doing at this time.

34  
35 And most importantly, we take care of individuals in  
36eed in passing on the values of our ways to our youngsters.  
They are the people that will be us tomorrow. We want them to  
38 able to take care of us as we take care of our Elders today.  
39ur ways have evolved from the way of life to the lifestyle  
40at we now enjoy today, whether you're Native or you're White  
41 you come from a rural community or from the city. Through  
42r Cultural Preservation Committee, we are identifying places  
43th Native names which were special use areas. This is our  
44cond year of putting this together, the places on maps and  
45arts.

46  
47 As a member of the Subsistence Health Culture  
48ommittee, Sitka Sea Otter Commission, coordinator of the  
49aditional Food Program, we recognize and support our inborn,  
50

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inherent right to harvest all forms of traditional food, that includes herbs. And we recognize the importance of these now as our ancestors did in the past. And we recognize the qualities of dietary, nutritional and spiritual values.

5

6 At this time, the State of Alaska has issued tribal permits to the tribe for herring eggs on kelp, sockeye. And we are working on gathering info on king and coho and other foods which the State will not give us as a subsistence food because of the monetary value the State would lose if they give it to us. So we are looking through documentation, through the elders and the stories they hold and as caretakers of stories passed on, on information of spots used for that special purpose.

15

16 STA has sent a resolution to the Department of Interior in support of Judge Holland's decision on Katie John case. We recognize the importance of federal management of resources within navigable waters. We are also concerned about salmon and trout resources which are non-Native to Southeast but are passing by the coast.

22

23 Just recently, we met with some members of the U.S./Canada Salmon Commission from the Columbia River, and they were stressing the importance of equity. But we are also interested in our customary and traditional right to harvest those resources as in past as we do now. The State does not recognize our right to trade, barter and sell subsistence items as being customary and traditional.

30

31 At this time, the Sitka Tribe and the Tribal Court is intervening on a court case that the State has taken upon one of our tribal members. He had shot a deer on the mountaintop the very first day, come up on a buck and a doe, and as he shot, the buck moved and he dropped the doe. So wanton waste is not one of our ways, so he cleaned it, packed it down; it can be put to good use. Well, the arresting officers were there at the bottom and they arrested him for negligence. No, negligence is to knowingly waste, leave it up there. That's not a waste, we could always utilize that deer, whether it be old folks or one of the agencies in town.

42

43 So we went to the arraignment and told the judge we'd like to intervene, we'd like them to dismiss all charges and turn it over to Tribal Court. Well, the Magistrate was a little bit surprised and taken back, and he says well, we'll have to take this slow as it is a issue of tribal sovereignty. And the arresting officers, they were quite surprised. But afterwards, they came up to us and shook our hands and said

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good move, you know. We said we're just exercising our right as a tribal government. So December 1st, we'll be going about going through the pretrial and hopefully things go our way, if not, well, we're ready to see it through the end in the State courts.

6

7 And we will not give up our right to trade, barter and sell as being a customary and traditional way under our customary and traditional uses. It is one of the unwritten Native laws that the State will not recognize, and we never gave up that right. It is our way, and we will continue doing that.

13

14 Thank you. If you have any questions, I'll certainly try to answer them.

16

17 CHAIRMAN THOMAS: Thank you, Ray. Now, Richard.

18

19 MR. DALTON: Mr. Chairman. I'd like to ask Ray if he could make a print or something like this, like with your attorney, for our record here.

22

23 MR. NIELSON: I can do that.

24

25 MR. DALTON: Have it typewritten and -- so that each one of us can have that.

27

28 MR. NIELSON: Sure, I can do that. You'll have it tomorrow.

30

31 MR. DALTON: Okay. Thank you.

32

33 MR. NIELSON: Thank you.

34

35 CHAIRMAN THOMAS: Thank you, Ray. You know, while it was a relatively short presentation, the significance of that and the trend that is possible or precedence of that is very, very significant, and it's something we need to pay attention to. Some of that is what I had in mind yesterday when I was referencing that the existing laws that we try to uphold now takes away from what we generally do under customary and additional exercises. But Ray covered part of that very eloquently. Thank you very much for that.

44

45 MR. VALE: Mr. Chairman?

46

47 CHAIRMAN THOMAS: John.

48

49 MR. VALE: I'd just like to make a quick comment on

50

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Some of Ray's statement there for work later on our agenda here. And, you know, we heard from Ray about the, you know, resources not being available to them, namely kings and cohos, for example. And I feel that this is an important issue that we need to address in our annual report, and that's just -- that's all I have there. I think when we do our annual report at this meeting here, that to me that's a very important point; you know, our annual reports are supposed to list uses and anticipated needs in the future. And, you know, that's a resource that's being deprived of people in Southeast that they historically use. And, you know, I think it's vitally important that that be returned to subsistence users and that we should say so in our annual report.

14

15 CHAIRMAN THOMAS: Thank you. John.

16

17 MR. FELLER: Mr. Chairman, I concur with what John said. I think Ray might have -- I'm not sure if he mentioned Halibut before, I think he did in the conversation.

20

21 CHAIRMAN THOMAS: Okay. Anybody else? Gabe?

22

23 MR. GEORGE: Yeah. I guess as far as the presentation, I appreciated it and I don't know where to take it from the Sitka end as far as it being a tribal issue or in the Sitka area. But certainly, as far as the -- you know, this Council is concerned and our emphasis on subsistence and use of the resources, I think that this Council probably should discuss ways of addressing the issue that has been presented to us and see if we can come up with something that's reasonable for the Board to consider.

32

33 MR. VALE: Could you clarify which particular issues you're referring to?

35

36 MR. GEORGE: Well, you know, the only thing that we have in front of us right now in terms of the presentation is the shooting of a doe during the first day of the season which is 30 bucks only. And the issue of a cultural -- maybe it isn't even just cultural clashing of values. I mean, there is a management scheme that has does only -- or bucks only then does and all for managing the herds. Yet, when someone shoots a doe mistakenly, whether -- or even just shoots a doe, you know, is it best for them to leave it, to wanton waste it or is it better to take it? And if so, then we address it. I mean, that is in our realm of being able to discuss issues here and that is pertinent to the Forest Service and management -- federal management on federal lands is -- which is what we're talking about here, subsistence. And I think we need to either discuss

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1t further or put .....

2

3 CHAIRMAN THOMAS: I think -- .....

4

5 MR. GEORGE: ..... a committee or something together  
6o .....

7

8 CHAIRMAN THOMAS: ..... I think the safest thing to do  
9 whenever that occurs is to tell them you're sport hunting.  
10's all right for a sport hunter but for subsistence, you  
11 can't do that.

12

13 MR. GEORGE: But it's an issue, I think, that the  
14 Council needs to sit and address.

15

16 CHAIRMAN THOMAS: Okay. Let's make a note of that. We  
17 won't do that right now, but we will because things like that  
18 are going to keep coming up, and hopefully we'll do it later  
19 this afternoon or maybe tomorrow, with that.

20

21 I have -- Patty.

22

23 MS. PHILLIPS: The other issue that Ray brought up was  
24 the community harvest, and I want to recognize that, you know,  
25 the Sitka Tribe does a community harvest and they do -- and  
26 they're not the only group that does it. In our community, we  
27 have community harvests also, but it's not just focused on the  
28 Native community. I know for a fact when we take our boat to  
29 Sitka, you walk up the ramp and there'll be a sign on the  
30 Bulletin board that says we need king salmon at the Senior  
31 Center, give us a call. It's not just, you know, the Sitka  
32 Tribes of Alaska that provides those resources to certain  
33 organizations in Sitka.

34

35 So I think the community harvest issue is one that we  
36 should be addressing also.

37

38 CHAIRMAN THOMAS: Okay. Any further comments? Okay.  
39 Okay. I got a reminder here of new agency members. Rachel  
40 Mason with the Fore- -- for the Fish & Wildlife Service in  
41 Anchorage and Mike Sharp with the Park Service in Yakutat.  
42 Would Rachel please be recognized?

43

44 MS. MASON: Hi.

45

46 CHAIRMAN THOMAS: We're glad to have you. Thank you  
47 very much.

48

49 MS. MASON: I'm glad to be here.

50

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1  
2 CHAIRMAN THOMAS: And Mike Sharp. Hi, Mike, we're glad  
3 to have you. You're stationed in Yakutat?  
4  
5 MR. SHARP: Yes, sir.  
6  
7 CHAIRMAN THOMAS: Do you have any credentials regarding  
8 Mr. Vale that we might not have?  
9  
10 MR. SHARP: No, sir. A good addition.  
11  
12 CHAIRMAN THOMAS: Well, we're glad to have you.  
13 Welcome to our meeting.  
14  
15 MR. ANDERSON: Mr. Chairman.  
16  
17 CHAIRMAN THOMAS: Carol.  
18  
19 MS. JORGENSEN: Mr. Chairman, we'd also like to  
20 recognize Ernestine Hanlon in from Hoonah.  
21  
22 CHAIRMAN THOMAS: Ernestine, welcome. Anybody else? I  
23 didn't mean to overlook anybody.  
24  
25 MR. VALE: We have Bruce Dinneford from the Department  
26 of Fish & Game back there, Mr. Chairman.  
27  
28 CHAIRMAN THOMAS: Bruce, we're glad to have you. Okay.  
29 Well, I appreciate the reminder because it's always a courtesy  
30 to recognize people as they take time to attend our meeting.  
31 Information exchanged. When we left last night, we asked those  
32 that had information from their communities to offer them to us  
33 for our information and to exchange information to the other.  
34 Does anybody have such information? John.  
35  
36 MR. VALE: I'd like to share two things with the  
37 Council. I noticed here when we sat down after our break or  
38 first thing this morning, the newspaper article in front of us,  
39 one about roe stripping, the other says "Huge Amounts of Fish  
40 Dumped in the Ocean, Mostly Bycatch off Commercial Fisheries."  
41  
42 I was approached by an individual who was -- I don't --  
43 have to dig out the information. But they were concerned  
44 about this bycatch and dumping of waste out in the ocean, and  
45 they gave me a resolution and asked if I would have the Council  
46 look at it and consider adopting our own resolution similar to  
47 that.  
48  
49 CHAIRMAN THOMAS: Who gave you the resolution?  
50

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1  
2 MR. VALE: A girl named Yvette Brown who's part of an  
3 organization who's seeking to get the North Pacific Management  
4 Council to develop incentives for commercial fishers to reduce  
5 their waste. I haven't really -- I don't really know if it's  
6 appropriate to throw it out on the table 'cause it's kind of a  
7 stretch to make a subsistence issue out of it. And, you know,  
8 waste and bycatch, I think, eventually probably does affect  
9 subsistence users, but I kind of wanted to get an idea from the  
10 Council members if it's -- they thought it was appropriate for  
11 us to look at that as an issue. And I .....

12  
13 CHAIRMAN THOMAS: Well, the Chairman thinks it's  
14 appropriate. I haven't polled the Council on that. But any  
15 kind of waste is appropriate for us to consider. Dolly.

16  
17 MS. GARZA: I think it is appropriate, and perhaps the  
18 best place to put it would be in the report that you had  
19 suggested earlier where we might put the king salmon issue in.  
20 It should be identified as something that we should be  
21 addressing; however, it's my understanding that we're still not  
22 addressing fisheries issues which is what bycatch is. In terms  
23 of the significance to subsistence users, I think it's  
24 credible because they could be in one single swoop taking all  
25 the sockeye that are going to Redoubt Lake or all the sockeye  
26 that are going to somebody's lake, and we don't know what that  
27 impact is. But I think that the potential impact is  
28 substantial.

29  
30 MR. VALE: Okay. Well, given that, Mr. Chairman, I'll  
31 give Carol a copy of this resolution and maybe she could get  
32 some copies and circulate it out to the Council members so they  
33 could review it and consider the substance in there, and maybe  
34 we could look at it at a later time.

35  
36 CHAIRMAN THOMAS: Okay.

37  
38 MR. VALE: The other item I had that I wanted to relate  
39 to the Council is the -- there is still a great deal of concern  
40 amongst subsistence users in Yakutat that the use of steelhead  
41 continues to be denied to them. It's a historical resource  
42 that's been harvested. And, you know, there was an effort to  
43 try and get the State to allow a subsistence fishery on  
44 steelhead, it was an ongoing effort that -- from a proposal  
45 that the Advisory Committee submitted on the State level  
46 seeking to have a fishery authorized, and it got bounced around  
47 through the State system for four years. And despite letters  
48 from the Native corporations supporting it and resolutions from  
49 ANB/ANS supporting it, and testimony from the Advisory

50

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Committee supporting it and even testimony from the State Regional Council supporting it, the State finally concluded that they wanted to send that proposal back without taking any action on it to see if people still wanted to propose it.

5

6 So, in essence, this issue has been delayed from being dealt with. People had hoped that this would be resolved on the State level and it has not. A proposal has been submitted to the Federal Subsistence Board last year seeking to change the regulations and have the Federal Board authorize a subsistence fishery on steelhead.

12

13 Well, you know, as we heard earlier in the meeting, now we're looking at two, three, possibly four years down the road before we address these subsistence issues. And quite honestly, I don't believe people can wait that long and to continue to have this resource denied to them. My -- I have been asked by the Tribal Government and a number of the Chiefs of the clans in Yakutat to contact attorneys and draft up an appeal to the Federal Board asking them to step in and take some action.

22

23 And so I wanted to make the Council aware of this issue. I know I've addressed it before. And I think that, you know, this will be put on the front burner once again now that we failed to get anything done on the State level. And, you know, I'll probably be seeking a recommendation from this Council, perhaps at our next meeting, supporting that appeal.

29

30 CHAIRMAN THOMAS: Okay. Yeah, it's a distressing issue, and I don't know what we can do about the time line that they provide for us. If anybody here has an idea on how we can short circuit that time, we'd all be willing to at least give it a try. We have to be brave and bold sometimes to salvage some of these area issues. And if we need to do that, perhaps we'll find a place in our agenda to fit that in. But we want to do it with some good discretion at the same time, so .....

38

39 MR. VALE: I believe that, perhaps, at our next meeting in February or whenever that occurs would be prior to the Federal Subsistence Board meeting in March or whenever that is, that that might be a good time to take a look at that action.

43

44 CHAIRMAN THOMAS: Okay. Thank you, John. Anybody else?

46

47 MR. FELLER: Mr. Chairman.

48

49 CHAIRMAN THOMAS: John.

50

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1  
2 MR. FELLER: Thank you, Mr. Chairman. Yeah. I know  
3 it's common knowledge on the Stikine moose hunt here, it's  
4 already published sometime here this year in this booklet. And  
5 we were fortunate to still maintain a hunt on account of our  
6 actions from this Board possibly and the Federal Subsistence  
7 Board. The State, you may know or not know that they closed  
8 down the hunt on the public lands because they didn't have any  
9 way of protecting the herds there. But it maintained a  
10 subsistence hunt for this area from September 15th -- it's on  
11 it's going on right now -- to October 15th. So it's going on the  
12 second week, the hunt is, on the Stikine. And the style of the  
13 hunt has changed because they have to target the antlered bull  
14 with a spiked fork or the 50 inch antlers or three or more  
15 lines on each -- either side.

16  
17 So even though they didn't like the change, in the past  
18 Wrangell -- and I don't know if so much Petersburg, they're  
19 happy to have this hunt now I'm sure. I haven't been able to  
20 touch base with the local people because of the season being  
21 long for me being a commercial fisherman. But I am sure  
22 they're happy that they at least have a hunt there and the herd  
23 being protected. The people that were concerned about the  
24 herd are happy.

25  
26 So yeah, I just wanted to share that with the Council  
27 and the other agencies.

28  
29 CHAIRMAN THOMAS: Thank you, John. Yeah, you mentioned  
30 that -- the involvement of this Council and the Federal Board,  
31 you're right, that action is a direct result of the proposals  
32 that were submitted regarding that area. We chose on this  
33 Council to support that, took it before the Board with our  
34 commendation to pass, and it did so. So that's how that came  
35 about.

36  
37 MR. FELLER: Well, thanks for that information,  
38 Mr. Chairman.

39  
40 CHAIRMAN THOMAS: Further comments? Gabe.

41  
42 MR. GEORGE: Yeah. I'd like to share an issue with the  
43 Council, I believe it's a rural issue; in Angoon, it appears to  
44 be a rural issue. And the issue is confiscation of gear in the  
45 rural area by Fish & Game Protection and transporting that gear  
46 over to their home office, and in our case it's Sitka, and they  
47 put it up for auction over there. There's no notice, there's  
48 anything. There isn't much done in Angoon.

49  
50

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1 MR. VALE: Gear? Gear, did you say?

2  
3 MR. GEORGE: Gear, you know, like crab pots, you know,  
4 shrimp pots.

5  
6 MR. VALE: Okay.

7  
8 MR. GEORGE: Any kind of fishing gear that -- I mean,  
9 Angoon's a subsistence community, you know. And the gear that  
10 we get costs money, costs time and all. And when Fish & Game  
11 comes over and enforces their regulations and pick -- you know,  
12 pulls up the crab pot and if there's something wrong either  
13 with the numbering or the construction, they'll take that pot  
14 and not give anyone notice, run it over to Sitka and auction it  
15 off over there if nobody claims it. Which is fine, you know,  
16 if they did the same thing in Sitka and brought all their gear  
17 that they confiscated over there to Angoon and auctioned it off  
18 for us and we'd get -- we'd have a lot more gear to set out.  
19 But that's not what happens, it goes one way.

20  
21 And I assume it happens in other communities in  
22 Southeast. Hopefully Fish & Game isn't .....

23  
24 CHAIRMAN THOMAS: No, nobody else breaks the law.

25  
26 MR. GEORGE: Hopefully, they're not only coming to  
27 Angoon and doing that. But going -- or that when they do pull  
28 crab pots and other things and take it to another community, I  
29 don't think that's -- I know it's not right. And I guess, you  
30 know, I don't know how best to address it as a Council, but it  
31 certainly is an issue.

32  
33 CHAIRMAN THOMAS: Thank you, Gabe. You guys are  
34 bombarding me, there's some real tough ones. Lighten up a  
35 little bit, huh? Okay. Is there anything before we get into  
36 the designated hunter permitting system report, discussion and  
37 action? If not, we'll move into that area.

38  
39 I might've mentioned earlier that we hope to break for  
40 lunch at about 11:30 and come back at 1:00 o'clock. A motion  
41 was made and passed yesterday to have our elections of three  
42 positions today at 1:00 o'clock. So in order to allow for that  
43 and still have time for those that have local offices to check  
44 into their offices, we are taking an hour and a hour for lunch.

45  
46 Carol, I have to yield to you a little bit on the  
47 designated hunter discussion. Could you help me with that?

48  
49 MS. JORGENSEN: Thank you, Mr. Chair. Mr. George  
50

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Sherrod will be sharing with us the designated hunter report and what's been happening on that.

3

4 CHAIRMAN THOMAS: At least yesterday they called him  
Taylor, today there was no designation. But we appreciate you  
doing that, George.

7

8 MR. SHERROD: Well, actually, Ken Taylor was supposed  
to be here from the Forest Service, I was supposed to help him.  
10 So again, I'm sort of shooting from the hip, but I'm a little  
11 bit more knowledgeable about this subject because of my  
12 involvement with it.

13

14 In the packets you received -- I believe, since I  
15 didn't see the packets I'm not totally sure, but a copy of the  
16 designated hunter report. This report was stimulated by a  
17 number of proposals submitted from Southeast and from Kodiak  
18 land last year requesting -- as they were originally drafted,  
19 the proposals, requesting that individuals, qualified  
20 subsistence harvesters, be able to take resources on behalf of  
21 other qualified subsistence users. Through the course of the  
22 various council meetings, the proposals were modified and  
23 expanded from deer, I believe was the initial request, to all  
24 species.

25

26 The Board at that time felt that this was an issue of  
27 statewide significance and that it should be looked at by a  
28 forum that could recommend, perhaps, a statewide policy or a  
29 statewide procedure for adopting these. As a consequence, the  
30 Board directed the Staff -- or a task force be formed by the  
31 Staff and that the task force included representatives from  
32 regional councils and the Alaska Department of Fish & Game.  
33 This task force was formed and conducted two meetings. The  
34 report before you is basically the outcome of that process  
35 which was far too complicated to go into any great detail here.

36

37 But there are some key points that arose from the  
38 meeting of these individuals and they should be pointed out.  
39 One of which was that the body collectively decided that they  
40 would not take no as an answer or that it can't be done. That  
41 any issue or any proposal or option that would accommodate this  
42 intent, this desire by the Board to allow harvesters to take  
43 resources for people unable to harvest, regardless of the  
44 reason, would be considered.

45

46 As a result, two of the options that are included in  
47 the report, the tribal management option and the local  
48 management option, are currently outside the scope of the  
49 Subpart D process. They are, at this moment, undergoing review

50

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by legal counsels from the Department of the Interior and the Forest Service to decide the appropriate action or the body from which -- for which they should be forwarded for consideration.

5

6 I think that part of the -- or a major task of local groups or bodies like this in requesting changes from organizations like the Federal Government is identifying the level at which the request should go. And in this case, the legal staff is trying to identify that level and is forwarding those proposals on.

12

13 The report -- within the course of the first meeting, the task force decided to try to narrow its scope this time around to try to make sure that we had a proposal in place to at least address the -- some of the minimum needs; and that is allowing people to -- harvesters to take resources for others, primarily ungulates because it was felt that given the short time period we could more easily accommodate that. There were a number of options put forward. Four were decided to be the key and these were the ones that were flushed out. And in addition to the two I had mentioned, we had a community harvest option and a designated hunter option.

24

25 There were several themes that reoccurred throughout these meetings, one of which was the importance to conserve resources. The task members/participants recognized that only through the conservation of resources could subsistence be guaranteed in the future.

30

31 Another important theme was the idea of flexibility, that the system -- whatever the system that was developed would have to be flexible. And that this flexibility would allow regulations to be tailored to local conditions and the conditions of the resources to accommodate local customs and traditions, to accommodate local resources and to accommodate changes through time. And in that case, I mean that while one option may be able to accommodate the harvest when resources are at a high population and healthy, that another option might have to be imposed when resource populations tended to be on the decline or an endangered state -- not an endangered but somewhat their viability is less healthy.

43

44 There were a number of other options that were not considered that would have accommodated this, and this does not mean that these options are not available, they simply were not ones that were flushed out; including, just briefly, would be options, liberal bag limits, perhaps, might or our harvest limits might solve this problem. A not perfect situation but

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probably closer to is the Arctic caribou herd in which I think individuals can take five a day 365 days a year. With that type of harvest limit, it would be fairly easy for an individual to be able to accommodate the needs of his own immediate family and those people that he was obligated to share with. But again, that -- that's a option that's not always available because of the status of the resource.

8

9 Another option that was not flushed out was the option 10 which, perhaps, a pool of animals would be set aside for a community to harvest to accommodate the needs of those unable 11 to harvest for themselves. That you would have a allocation of 12 number of animals, and that number of animals or that 13 source would be designated for individuals that could not 14 harvest for themselves. And those determinations would be 15 based on some sort of community criteria.

17

18 The proposal that's in -- or the report that's in front 19 of you is designed to be a guide book and not sort of the sole 20 answer. It is not expected that you will say I like B but 21 throw the rest out. I think what's important for this group is 22 look at the structure in which these different options have 23 been flushed out, the types of considerations that were 24 involved in trying to develop a mechanism that would both 25 conserve the resource and at the same time accommodate this 26 need for people to harvest animals for other qualified users.

27

28 There are components from all of these options, the 29 four options, even the two that are currently not available for 30 adoption in their entirety, that can be drawn upon in the 31 formulation of a proposal to accommodate the original intent. 32 is, I suppose, the option of this Board to try to pull 33 together a proposal drawn from these different components and 34 using the examples set forward in each of them to draft a 35 proposal to submit to the Federal Board.

36

37 And again, as I say, one of the things that came in my 38 mind very clear was the fact that through representatives from 39 the different regional councils across the state, they 40 recognize that each of them had unique situations and may not 41 be able to be accommodated by one blanket proposal.

42

43 I think that a plan of action at this point, now that 44 the proposal -- the report has gone this far, is for this body 45, in consultation I think with local land managers -- and I 46 wish Ken Thompson was here, he put a lot of time into 47 developing the designated hunter proposal -- sit down and draft 48 a proposal to try to accomplish what you set forth or what 49 you tried to do last year. And I think that in consultation

50

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With these managers that a proposal can be developed that will both accommodate cultural and traditional practices and the conservation of resources. And that a lot of the obstacles that potentially would come up before it would make it -- the proposal make it through the review process would be resolved at that time.

7

8 In reminding the Council, and I'm sure probably most of you if not all of you are aware that in drafting this proposal, of course, it will go before the Staff for review, and then will come back again for your consideration in the spring. And I guess with that, I'll entertain questions, if the Chair desires.

14

15 CHAIRMAN THOMAS: Okay. Before we get into questions. Dale Kanen has parts of this that he would like to share with us that he's been involved with, so we'll give this time to Dale.

19

20 MR. KANEN: Yeah, thank you, Mr. Chair. I worked with Ken Thompson on some of the draft of this, and it is a thick document; it's really well done. And it's, I believe, designed to sort of address the issue on a statewide basis, and so there is a lot of material in here. And I just, for the Council's consideration, wanted in particular to point out Page 25. There's about two pages there, Page 25, 26, a little bit on 27 in particular, that I know Ken Thompson and myself and some of the biologists that was the center of our focus for what we felt was probably at least one very likely and real doable and enforceable and implementable option for the characteristics that we saw in Southeast Alaska. So I hope as you're going through this document, you'll pay particular attention to those pages and give us some feedback. It's a real simple system.

34

35 Thank you.

36

37 CHAIRMAN THOMAS: Thank you. You've all had a chance to read the document, do you have any comments or -- it's only 60 pages. I think what we'll probably do with this, it's an important document, that we're going to have to offer some response. So rather than rushing ourself to any kind of an action, at this time I think we'll move some of that to another part of the agenda so that members will have a chance to read and perhaps talk to each other, have some discussion about it and then be more intelligent with it later on in the agenda. It's probably one of our most important items of the agenda, so we'll give it whatever time it needs so that we can give it the best direction when we get to that. Is that agreeable with everybody?

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1  
2 MS. GARZA: Yes.  
3  
4 MS. ROBINSON: Yeah.  
5  
6 CHAIRMAN THOMAS: Okay. Thank you, George.  
7  
8 MR. SHERROD: Thank you, Mr. Chairman.  
9  
10 CHAIRMAN THOMAS: Charter renewal report. Carol?  
11  
12 MS. JORGENSEN: Mr. Chairman, in your package you have  
the charter renewal and that's -- that comes up, I believe,  
every two years. But in any event, it's up this year for  
renewal. And I don't know if Bill Knauer wanted to speak on it  
more. But what they did was they incorporated all the  
different Councils' concerns. And because some -- you know,  
there were concerns identified from the different areas but  
they pertain to all the Councils, so they were incorporated  
into the Council -- I mean into the charter that will go in  
this year. If you want to review it, if there's any comments  
on anything like that, I don't know if Bill wanted to add more  
to it or what. But it's there for your review and your  
commendation to go forward.  
25  
26 CHAIRMAN THOMAS: Okay. As soon as the Chair finds his  
copy, we'll have some comments on it.  
28  
29 MS. JORGENSEN: Did you want to say something more?  
30  
31 MR. KNAUER: Yeah.  
32  
33 MS. JORGENSEN: Mr. Chairman, Bill would like to add  
some things.  
35  
36 CHAIRMAN THOMAS: Okay, Bill.  
37  
38 MR. KNAUER: Thank you, Mr. Chairman. Just a note of  
clarification. This document has already gone forward to the  
Secretary for his signature. We anticipate that it would be  
signed very shortly, and it will be signed by the Secretary of  
the Interior with concurrence by the Secretary of Agriculture.  
43 So .....  
44  
45 CHAIRMAN THOMAS: So this is just for our information?  
46  
47 MR. KNAUER: That is correct.  
48  
49 CHAIRMAN THOMAS: Okay. Thank you.  
50

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1  
2 MR. ANDERSON: No action needed?  
3  
4 MS. JORGENSEN: No action needed.  
5  
6 CHAIRMAN THOMAS: We'll rubber stamp without objection,  
7 please.  
8  
9 MR. ANDERSON: With the understanding that eventually  
10 there may be amendments arise to the charter. What would be  
11 the process?  
12  
13 CHAIRMAN THOMAS: To amend?  
14  
15 MR. ANDERSON: To amend.  
16  
17 CHAIRMAN THOMAS: To amend, I guess we'd have to start  
18 here and work it through the system.  
19  
20 MR. ANDERSON: Okay.  
21  
22 CHAIRMAN THOMAS: That's never been discussed but  
23 there's no law against discussing it or trying it. Did you  
24 have an amendment to offer?  
25  
26 MR. ANDERSON: No, I don't. But I could see it down  
27 the line as we develop consistent .....  
28  
29 CHAIRMAN THOMAS: Okay. Sure. That shouldn't come as  
30 any shock to anybody.  
31  
32 MS. ROBINSON: I think some people are looking for the  
33 charter, it's attached to the agenda. I believe that's .....  
34  
35 CHAIRMAN THOMAS: Thank you, Mim, for making me look a  
36 bit more organized. Okay. In any case, by all means, if  
37 anyone sees a need to offer change in this, we can certainly  
38 find a vehicle to get it to where it needs to in order for that  
39 to happen. But I guess anything would have to go all the way  
40 to the Secretary, wouldn't it?  
41  
42 MR. KNAUER: That is correct, Mr. Chairman.  
43  
44 CHAIRMAN THOMAS: Thank you.  
45  
46 MR. KNAUER: The -- something to point out is the  
47 charter is only valid for two years. So every two years, there  
48 is an opportunity automatically as it comes for renewal to  
49 propose changes.  
50

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1  
2 CHAIRMAN THOMAS: Thank you. Okay. We're flying right  
3 through our agenda, folks. Annual report to Secretaries.

4  
5 MR. FELLER: Mr. Chairman.

6  
7 CHAIRMAN THOMAS: John.

8  
9 MR. FELLER: After that remark, I guess I want to kind  
10 of go back to the designated hunter. And it's just a comment,  
11 maybe bring up something that we talked about last year when it  
12 was going -- when we were showing (ph) the designated hunter  
13 for Sitka, I think it was Area 4. And correct me if I'm wrong,  
14 it did pass, right, on the Federal Subsistence level, at the  
15 Board?

16  
17 CHAIRMAN THOMAS: No.

18  
19 MR. FELLER: It didn't.

20  
21 CHAIRMAN THOMAS: No, that's one that didn't.

22  
23 MR. FELLER: Okay.

24  
25 CHAIRMAN THOMAS: No. The -- what did pass was hunting  
26 from a boat.

27  
28 MR. FELLER: Okay. I got that mixed up then. Yeah.  
29 Because Lonnie and I, last year, wanted to tack our communities  
30 on that. And so I guess that's a mute point then.

31  
32 CHAIRMAN THOMAS: I would suggest you guys move to Game  
33 Unit 4, if you want to participate in that.

34  
35 MR. FELLER: Okay.

36  
37 CHAIRMAN THOMAS: I don't know if that'll be a problem.  
38 I think when we discussed tacking other communities onto that,  
39 I think it was the consensus of the Council that by limiting it  
40 to an area it would be easier to consider and to represent.  
41 And so if we choose to expand that, I think that's probably  
42 within our prerogative. It's a good point.

43  
44 The designated hunter is an issue that was brought  
45 before the Board from this region. Kodiak had similar concerns  
46 about that. And after we brought it to the attention of the  
47 Board, other representatives from other regions in the state  
48 embraced that idea, and so it got converted from deer to moose  
49 or caribou to a lot of other things. So there's a task force  
50

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that met about a month ago? About a month ago? And -- on that information regarding the report. That was the second meeting of the task force; Gabe attended the first one, I attended the second one and it's moving pretty fast.

5  
6 So that's the reason I thought we just needed time to review some of the contents of that designated hunter report. And I think it's written very clearly, and I think anything that you would have concerns with or that you would like to support, I think it'll become very obvious as you read it. So we'll take time to do that.

12  
13 Okay. Back to annual report to Secretaries. Carol,  
14 can you give me some guidance on that?

15  
16 MS. JORGENSEN: Sure, Mr. Chairman. On the annual report, as you know, we had an annual report go last year and we didn't have a lot of time to put that annual report in, so we did the best we could in identifying some of the issues and concerns. This year, we have quite a bit to report on what's been happening this last year. And as we look at our special actions and requests for reconsiderations, our proposals that went through, the various issues that we have dealt with in the last two meetings and this meeting, I think those are all things that we need to consider putting into the annual report.

26  
27 So I did not -- there is no annual report, at this point, done. Our annual report, I think, is due November 15th. And at the wish of the Council, I would like to just know -- you know, I'll draft up something, try to get a turnaround time and get it out to you right away in draft form, and then you add what you would like to see or what we could do is just identify the issues here now, I could draft it up into the letter and send it to our Chairman. And, you know, as long as we feel we've covered the issues here, we could get it out in as expedient time. I'm open to either way.

37  
38 CHAIRMAN THOMAS: Thank you. Yeah, there's a lot to be included. And there were several comments at this meeting, were you able to get those as they were being presented that wish to have that in the annual report?

42  
43 MS. JORGENSEN: Yeah.

44  
45 CHAIRMAN THOMAS: Thank you. Dolly.

46  
47 MS. GARZA: I guess I would be in favor of just having you continue, Carol, since you're very aware of what has happened during the last year. And the only thing I would like

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to emphasis are the issues that were brought up today about the  
 2- you know, that this Council is very frustrated that we're  
 not able to handle fisheries issues. That the majority of our  
 constituents, you know, rely on fisheries' resources and that  
 those concerns are coming to us and we're not able to take  
 action, and that we would like to be able to take action as  
 soon as possible. And, you know, if any way that a decision  
 could be expedited so that we could start that process, that we  
 would look forward to that.

10

11 CHAIRMAN THOMAS: Good point. Thank you, Dolly.

12

13 MR. ANDERSON: Mr. Chairman, have we considered maybe  
 changing the designated hunter to designated provider? We  
 provide not only hunting but fishing and stuff for our  
 communities. And I think that that's a issue that needs to be  
 looked at.

18

19 CHAIRMAN THOMAS: Yeah, that has been looked at, and I  
 think they stuck with designated hunter just for terms of  
 reporting right now. But hunter was a bone of contention and  
 provider was the most attractive term. So, yeah.

23

24 MR. ANDERSON: Okay.

25

26 CHAIRMAN THOMAS: Patty.

27

28 MS. PHILLIPS: I was just reviewing our '93 letter.  
 And one thing that I brought up earlier was that we need to  
 build belief in our Council. And part of building belief in  
 our Council that we are really going to accomplish something  
 here is by following through on what we believe are important  
 requests of the public. And I'd like to let the Secretary of  
 Interior know that we are trying to follow through on some of  
 these requests and build belief in this system.

36

37 CHAIRMAN THOMAS: So noted.

38

39 MS. LeCORNUE: Mr. Chairman, I'd like to -- I think  
 we're talking about annual report. I wanted to say something  
 about the definitions of tribal and Native, and for all these  
 purposes, we're treated as Natives and that is not a political  
 distinction. So in this cast, we are losing our political  
 force. And I was real glad to see Ray here from Sitka to  
 bolster that idea that -- of self-determination, that we  
 believe that we can do this ourselves. And I could encourage  
 people from Yakutat to Hydaburg to use that prerogative to  
 exercise the amount of control that is being denied us  
 politically.

50

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1  
2 And Richard also made mention the spiritual values.  
Well, that is the highest form of political values that we  
share. So I'd like that to be noted.

5  
6 CHAIRMAN THOMAS: Yeah, that's true and it's a good  
point. And that has been discussed at the Board level from  
virtually every region in the State. And so they've all been  
introduced to that. I haven't seen any rejection to that. At  
best, we get a little bit of a bewildered expression, but  
that's to be expected because they don't fully understand. But  
they haven't -- like I said, by not rejecting, I think it will  
be safe to assume that they're at least willing to show some  
support. But in order to be totally supportive, they have to  
have a lot better understanding than what they do. So we're in  
an education process on trying to explain to people that make  
that difference whenever we can. And that's a good point. And  
it's not a silent cry in the wilderness, it's something that  
we've been carrying forward, at least this last year.

20  
21 Dolly.

22  
23 MS. GARZA: Yeah. I guess the last thing I would like  
to make sure that we include in that is our discussion  
yesterday on our intent to review the criteria for customary  
and tradition as well as the definition of Native and community  
and communities within communities.

28  
29 MR. FELLER: Mr. Chairman. Yeah. I'd like to follow  
up on what Dolly said there. Wrangell -- in Wrangell, we lost  
our right to subsist under the State management because we  
didn't have any representation at their meeting right next door  
in Petersburg. And that was about eight, ten years ago. Even  
though other people spoke up for us, we were shot down. And  
so, this determination of the customary and traditional  
criteria, I think we really need to emphasis our involvement on  
that to the Secretary of Interior, so we have a handle on this,  
whatever tools that we could use in this process. So that's  
all I have.

40  
41 CHAIRMAN THOMAS: Those are good points. And I think  
something I need to remind you is that the people that are  
giving us problems in those areas are the State. I'm not  
suggesting that the State has made it any easier or has become  
any more sensitive to those ideas. The Federal involvement and  
the Federal people that we're working with are continually  
asking what do we need to know, what aren't you telling us?  
What will make it better for us to help you? And so we include  
that in our language, and not everybody absorbs at the same  
50

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level. But I have to say that there's an effort there. So -- But I'm not including the State at all when I talk about there is light at the end of the tunnel. The Federal Government has been more sensitive and more determined to make this subsistence issue more compatible for the people that are affected with it and by it.

7

8 Carol.

9

10 MS. JORGENSEN: Mr. Chairman, one of the bullets I'd like to put on the annual report is to request a response. I realize the Secretary's extremely busy, but I do think that some of the Councils maybe got -- per what I was talking to Mr. Knauer, some of them I think got some response. To date, we haven't and maybe that's still forthcoming, but it would -- I'd like to bullet in there that we really would like these issues addressed and responded to.

18

19 CHAIRMAN THOMAS: Yeah, that's a good point. And as soon as we do get responses, we'll distribute those as soon as we get them, is that correct?

22

23 MS. JORGENSEN: Yes, Mr. Chairman.

24

25 MR. VALE: Mr. Chairman.

26

27 CHAIRMAN THOMAS: John.

28

29 MR. VALE: On the annual report, we already touched on 30 and I'm sure Carol wants to, you know, include this in there, but I'll hit it one more time. And that is I'd like to see a part of the report dedicated to the issues around habitat protection, you know. And I'm sure we'll want to talk a little bit about the TLMP process and how we can affect that process as a part of our strategy for management of wildlife populations.

37

38 And in looking at our charter, you know, it outlines what we should have in our annual report. And I suggest and I think that might be a good format for listing our issues is using the format in the charter for identifying current and anticipated subsistence uses and evaluating the need for obtaining those resources and strategy for managing. So that might be a good format to follow.

45

46 CHAIRMAN THOMAS: Yeah. Speaking of TLMP, like I mentioned earlier, Dave Katz with the Southeast Alaska Conservation Council was called away to participate in the teleconference and he just got back. Just to be postponed

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again because we're taking a lunch break in a couple of minutes, and we're going to reconvene at 1:00 o'clock to hold our elections. And I don't think the animosity should last longer than 3:00 o'clock on the elections. Probably 20 after, 5:30, about there, perhaps we'll probably be ready for that. Will you be ready with the slide presentation then?

7  
8 MR. KATZ: We can. Mr. Chairman, are you suggesting 9:30 today to do that?

10  
11 CHAIRMAN THOMAS: Yeah. Because TLMP is really fresh on the minds of people, and we just heard an excellent presentation this morning. And perhaps, with your posture, position, representation would probably enhance that.

15  
16 MR. KATZ: That sounds good. We'll be (indiscernible - away from microphone) .....

18  
19 CHAIRMAN THOMAS: Okay. Okay. So we're going to give you an extra five minutes during your lunch break. We'll take a recess at this time and be back at 1:00 o'clock.

22  
23 (Off record)

24  
25 (On record)

26  
27 CHAIRMAN THOMAS: Okay. We'll come back to order. By virtue of action taken yesterday, we postponed Item 6 which is Nominations and Election of Officers. We have three officers and the terms are for one year. So it's 1:00 o'clock, we have a quorum, and the Chair will now declare nominations open. One question, did you want to elect all three at the same time or one position at a time?

34  
35 MR. VALE: One at a time.

36  
37 CHAIRMAN THOMAS: One at a time is agreeable with everybody?

39  
40 MR. FELLER: Yes.

41  
42 MR. GEORGE: One at a time.

43  
44 CHAIRMAN THOMAS: Okay. So we'll do it one at a time. We'll do the Chairman first, the Vice Chairman and the Secretary. So we're balloting on one position at a time. Okay. Nominations are now open for the office of President.

48  
49 MS. GARZA: Chairman.

50

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1  
2 MR. GEORGE: Chairman.  
3  
4 CHAIRMAN THOMAS: Dolly.  
5  
6 MS. GARZA: For the Chairman?  
7  
8 MR. GEORGE: For the Chairman.  
9  
10 CHAIRMAN THOMAS: For the Chairman, yeah. John.  
11  
12 MR. VALE: Mr. Chairman, I nominate William Thomas.  
13  
14 CHAIRMAN THOMAS: Okay, William Thomas. Now, Gabe?  
15  
16 MR. GEORGE: I'd like to nominate Dolly Garza.  
17  
18 CHAIRMAN THOMAS: Okay, Dolly.  
19  
20 MS. GARZA: I decline.  
21  
22 CHAIRMAN THOMAS: Okay. Dolly declines. Gabe.  
23  
24 MR. GEORGE: I move nominations cease.  
25  
26 MR. ANDERSON: Second Mr. George's nomination -- or  
27 motion.  
28  
29 CHAIRMAN THOMAS: Move that nominations cease and  
30 be concurred.  
31  
32 MR. GEORGE: Question.  
33  
34 CHAIRMAN THOMAS: The question's been called, all those  
35 in favor say aye.  
36  
37 IN UNISON: Aye.  
38  
39 CHAIRMAN THOMAS: Opposed, same sign.  
40  
41 (No opposing responses)  
42  
43 CHAIRMAN THOMAS: The motion's carried. I want to  
44 thank you very much. It's not a position or an action that I  
45 make lightly, while I was very pleased and remain that way from  
46 the support that I've gotten from each of you, the confidence  
47 that you've expressed in me, and I have the same confidence in  
48 you. And hopefully, we can continue on with a good  
49 footing (ph) that we've had in the past year.  
50

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1  
2 Okay. Nominations are now open for Vice President.  
3  
4 MR. ANDERSON: Mr. Chairman.  
5  
6 CHAIRMAN THOMAS: Vice Chair I say (ph).  
7  
8 MR. ANDERSON: I nominate Gabe George as Vice Chairman.  
9  
10 CHAIRMAN THOMAS: Gabe's been nominated. John.  
11  
12 MR. FELLER: Mr. Chairman, I move the nominations  
13 cease.  
14  
15 MR. VALE: Second.  
16  
17 CHAIRMAN THOMAS: It's been moved and seconded that  
18 nominations cease. I want to make sure that -- discussion? No  
19 further questions?  
20  
21 MR. ANDERSON: The question's called for.  
22  
23 CHAIRMAN THOMAS: All those in favor say aye.  
24  
25 IN UNISON: Aye.  
26  
27 CHAIRMAN THOMAS: Opposed, same sign?  
28  
29 (No opposing responses)  
30  
31 CHAIRMAN THOMAS: Okay. Gabe, congratulations.  
32 Secretary. Nominations are now open for secretary.  
33  
34 MR. DALTON: Mr. Chairman.  
35  
36 CHAIRMAN THOMAS: Richard.  
37  
38 MR. DALTON: I nominate this young lady. I was looking  
39 for her name, but I can't see it so .....  
40  
41 MS. LeCORNU: Vicki LeCornu.  
42  
43 CHAIRMAN THOMAS: Vicki?  
44  
45 MR. DALTON: Yes.  
46  
47 CHAIRMAN THOMAS: Vicki has been nominated.  
48  
49 MR. ANDERSON: Mr. Chairman, I nominate Dolly Garza if  
50

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that's .....

2

3 CHAIRMAN THOMAS: Dolly.

4

5 MR. ANDERSON: ..... okay with her. Yes. Thank you.

6

7 CHAIRMAN THOMAS: Okay. Dolly, Vicki. Is that spelled  
~~With~~ a Y or an I?

9

10 MS. LeCORNUE: I.

11

12 CHAIRMAN THOMAS: I?

13

14 MS. LeCORNUE: Um-hum. (Affirmative)

15

16 CHAIRMAN THOMAS: Okay, thank you.

17

18 MR. VALE: Move to close nominations.

19

20 MS. GARZA: I'll decline my nomination.

21

22 CHAIRMAN THOMAS: Okay. Dolly declines.

23

24 MR. VALE: I'll wait on that for a minute.

25

26 CHAIRMAN THOMAS: Were there further nominations?

~~What's~~ the wish of the Council?

28

29 MR. VALE: Move to close the nominations.

30

31 CHAIRMAN THOMAS: It's been moved to close nominations  
~~for~~ Secretary.

33

34 MR. GEORGE: Second.

35

36 MR. FELLER: I'll second that motion.

37

38 CHAIRMAN THOMAS: Moved and second. Discussion?

39

40 MR. GEORGE: Question.

41

42 CHAIRMAN THOMAS: The question's been called, all in  
~~favor~~ say aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN THOMAS: Opposed.

48

49 (No opposing responses)

50

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1  
2  
3 CHAIRMAN THOMAS: Motion carries. Okay.  
4 Congratulations to Gabe and Vicki on your elections. It  
5 sounded like kind of a loose run operation but when you don't  
6 have any more people than this, that's how it goes. And while  
7 it might appear that way during this process, it certainly  
8 wasn't that way while we're working. So thank you again.  
9  
10 MS. GARZA: Mr. Chairman. If I didn't think you were  
11 doing a good job, it wouldn't have been a loose process.  
12  
13 CHAIRMAN THOMAS: Would any -- Gabe or Vicki like to  
14 make any comments at this time? Okay. Thank you again.  
15  
16 MR. ANDERSON: Mr. Chairman, I ask that the Chair  
17 dispense with the Robert Rules of Order that -- with the  
18 section in this case in that there was no opposition. We  
19 won't ask -- no Secretary so we can't ask the Secretary to cast  
20 unanimous ballot.  
21  
22 CHAIRMAN THOMAS: Okay.  
23  
24 MR. ANDERSON: For the matter of record.  
25  
26 CHAIRMAN THOMAS: Okay. Does it mean you want to do it  
27 now or that we didn't because we didn't have a Secretary?  
28  
29 MR. ANDERSON: No. I just wanted it on record that  
30 dispense with the usual .....  
31  
32 CHAIRMAN THOMAS: Okay.  
33  
34 MR. ANDERSON: ..... Secretary and .....  
35  
36 CHAIRMAN THOMAS: Right.  
37  
38 MR. ANDERSON: ..... casting an unanimous ballot for  
39 the three elected members.  
40  
41 CHAIRMAN THOMAS: Okay. Thank you. Okay. I was kind  
42 anticipating our presentation from the Conservation Society  
43 but when I said 1:30, I guess he took me very literally, which  
44 good, I didn't have a better guess than that. So what's the  
45 wish of the Board that we can use up 10 minutes? Were there  
46 comments that you would like to come back to or elaborate on  
47 something? Dolly.  
48  
49 MS. GARZA: Mr. Chairman, under Item 8B, the Designated  
50

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Hunter Permitting System, I did hear comments from people in the audience regarding this issue and, perhaps, some of them may choose to address the issue to this Council; that may be one of the reasons they're sitting here.

5

CHAIRMAN THOMAS: Thank you. That's a good reminder. And if there is people in the audience that would wish to speak to the designated hunter issue, you're certainly welcome to do so at this time.

10

Okay. If at any time, in fact. The agenda isn't designed -- it was hard to design it to include what everybody may have brought to the meeting. And if you don't see a provision on the agenda for that, feel free to interrupt at any time so that we can take time to hear whatever you might want to offer. Everything is important in this case. So we'll certainly appreciate that, and forgive us if we overlook anything because of a lack in our etiquette.

19

So -- Dolly.

21

MS. GARZA: Mr. Chairman. I guess in going over the designated hunter task force, you know, we did get a summary of the four different options. And I did not review them last night so I wasn't prepared to discuss them. However, it certainly should be a major focus of discussion for this Council, and I'm not sure how we should approach it. It's my understanding that this report is going to all nine of the Regional Councils and that the full Federal Subsistence Board will be reviewing the recommendations from the Councils and be making a decision based on these recommendations.

32

I don't know if we should go over the report more carefully at this meeting and possibly make our recommendation at the next meeting. And if we do, perhaps we should come up with some criteria that we should be addressing when we go through these four recommendations. I know that certainly one that will be brought up is that we are looking at rural versus Native/non-Native, and some of these options don't address that. There are some other considerations that we need to review while we go through these options. And so maybe we could just have some type of discussion on how we should set up our process.

44

CHAIRMAN THOMAS: Well, those are good points and observations. Carol.

47

MS. JORGENSEN: Mr. Chairman, if we could have George maybe come back up and give us the time line so that we know if

50

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1 We should be making a decision here or looking at options.

2

3 CHAIRMAN THOMAS: Okay.

4

5 MR. ANDERSON: George Taylor?

6

7 CHAIRMAN THOMAS: Huh?

8

9 MR. GEORGE: George Taylor.

10

11 CHAIRMAN THOMAS: George Taylor, Taylor George. Gabe.

12

13 MR. GEORGE: Mr. Chairman, while he's coming up to do  
 14 that, I think there are some things that are real critical in  
 15 reviewing these options. And of course, the biggest one that  
 16 has come up over and over again is the rural/urban issue or the  
 17 population issue and how we want to address that. So at least  
 18 in my mind, I think that there needs to be a lot of  
 19 demographics, a lot of information brought out as far as the  
 20 population of communities in Southeast and how we want to  
 21 address them and who we will probably be locking out or  
 22 excluding the opportunity to have a designated hunter and all  
 23 our different scenarios. So I think there needs to be more  
 24 information presented so that we can make a reasonable  
 25 commendation.

26

27 CHAIRMAN THOMAS: Yeah. A lot of what you said is very  
 28 true. In fact, a lot of those very considerations are trying  
 29 to be considered in our approach to the Kenai Peninsula, if I'm  
 30 not mistaken. Is that a fairly accurate statement, George, as  
 31 far as you know?

32

33 MR. SHERROD: If what you're saying is a lot of the  
 34 judgment calls that will be -- are important in this context  
 35 are important in the Kenai Peninsula, yes, that is true. If I  
 36 could simply restate, and I obviously didn't do it very  
 37 clearly, the four options that are laid out in this report are  
 38 not intended to be the sole answer to the question at hand.  
 39 They are intended to provide guidance in how regional councils  
 40 individuals or the Board might evaluate, formulate options  
 41 to deal with this.

42

43 One of the things that I think became really clear in  
 44 the fairly intensive and honest deliberations that took place  
 45 over the course of almost a week when you put the two different  
 46 meetings together was the recognition that situations across  
 47 the state vary considerably. And that probably, we're not  
 48 going to see a I will take this option and it'll work  
 49 everywhere or I'll take this option and it may not even work

50

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Within all the communities of a region. That the options there are to provide some sense of guidance and tools that will be tailored then to specific conditions.

4

5 Gabe mentions demographics, and I would -- I believe he's probably referring to the fact that in the community harvest option we talked about, could you apply it to a large community. And the general consensus was no, if you reach a community that has a population of a thousand people -- and when I talk about community here, I'm talking about a town or a village, not necessarily a group of -- a social group of people within that -- that you probably could not apply a community harvest. That does not mean that in an area, you might not be able to apply the community harvest option to smaller communities.

16

17 And I did some really quick demographics when these things came -- were developed, and the community harvest option would accommodate or could potentially accommodate 263 communities statewide and roughly 20,000 people could actually fall in, if you took that as being valid, but in the cases like 22 the Southeast where a large number of communities, Angoon, possibly some of the smaller communities, could be blanketly treated with a community harvest option. Sitka and stuff might be a combination, perhaps, a community harvest for distinct social enclaves and, perhaps, a designated hunter from its system to deal with the other components.

28

29 That the charge I think to the Regional Councils is not to rubber stamp this report and send it back or to critique heavily this report and send it back. I would think that the next step is to actually take what is there and try to develop proposals and send them forward. And as I said, when the proposals go forward, they will receive the type of scrutiny that will then -- it'll be analyzed and that analysis will come back again to this body for their deliberation.

37

38 So I think the next step is probably to try to draw from what has been done and develop proposals and send them forward, not to deliberate a long time as to the content of -- 41 as to the application of any one of those options to a specific case. Don't try to make it fit the case, develop your own option that will fit the case as you understand it being 44 all residents knowledgeable of the practices of your area.

45

46 CHAIRMAN THOMAS: Okay. That help? Okay. It's weighty and it's new to a lot of people. And even as I listen, 48 am gaining more introductions and relationship to it as well. 49 even though we spent a lot of time at meetings with some

50

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pretty in-depth dialogue with people from around the State,  
 some of the things that you're giving us now is very helpful,  
 even as I listen. So I appreciate that.

4

5 MR. SHERROD: Thank you.

6

7 MR. ANDERSON: Mr. Chairman.

8

9 CHAIRMAN THOMAS: Richard.

10

11 MR. ANDERSON: What kind of -- what's the time frame,  
 George, that we are dealing in? Are you wanting this done by  
 the next meeting or do we have a year?

14

15 MR. SHERROD: Well, if it is to -- if there -- excuse  
 me. If there is to be a regulation put forward this time, it's  
 going to have to fall within the period of public comment,  
 which Cheryl, do you have a -- I mean, Carol, do you have a  
 calendar? I don't have a calendar with me. When's public  
 comment close?

21

22 MR. KNAUER: November 11th.

23

24 MR. SHERROD: November 11th. So something would have  
 to be actually submitted to the Staff for analysis by that  
 closure date. So to some degree, the call is up to you. I  
 think that there is certainly a feeling that whether this body  
 submits a proposal or not that -- or if it doesn't -- let me  
 say if this body does not submit a proposal, it's highly likely  
 that the Staff will generate one because the Board felt an  
 obligation to try to deal with the problem that was brought  
 before it last year. And since those proposals are now dead,  
 that something will develop -- will be developed and put  
 forward.

35

36 So I suppose I could say you're not obligated to  
 develop something, you will have an opportunity to review  
 whatever is developed come spring. But I think it's certainly  
 within the scope of this Board to move forward and actively  
 attempt to develop something by that November date, not  
 necessarily by the end of business today or tomorrow but by  
 that November date.

43

44 CHAIRMAN THOMAS: Okay. That's good information  
 because what I'm considering now, and given the room that I  
 think we're going to have from our agenda in the remaining time  
 between tomorrow -- the end of today, tomorrow, perhaps commit  
 some time to consider proposals around this. We initiated the  
 issue, so I would feel like our input would be an interesting

50

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Source to the Board or to Staff even.

2

3           Okay. Thank you, George. We're going to go back to  
4 our time schedule again. Appreciate you helping us with the  
5 time and the information.

6

7           MR. SHERROD: You bet (ph).

8

9           CHAIRMAN THOMAS: Okay. Dave Katz, will you take the  
10 hot seat and we'll ask you questions before you say anything?  
11 No. The reason I wanted Dave to use this time is because he  
12 was here during the presentation on the Tongass Management Plan  
13 this morning and had some observations, and his presentation is  
14 going to cover the same areas. And we'll have a chance to  
15 compare the directions and some of the attitudes about the  
16 thing, and we might find more similarities than we're  
17 anticipating. So I'll let Dave go ahead and preface his  
18 remarks. He's also -- are we going to have a slide show as  
19 well?

20

21           MR. KATZ: Yes. Andy Romanoff from our office is  
22 seeking an extension cord. Do you have one?

23

24           MR. ROMANOFF: It's on the way.

25

26           MR. KATZ: Okay, it's on the way. Mr. Chairman, thank  
27 you very much, and I really appreciate the opportunity to  
28 address you. I should have been here during the break getting  
29 out these maps and let me just apologize in advance. I thought  
30 that I would show you -- I want to do two things. The first  
31 thing I want to do is talk to you about subsistence and SEACC's  
32 position on it and talk to you about subsistence and  
33 additional use in the context of the Tongass Land Management  
34 Plan Revision. And the next thing we want to do is show you  
35 something about Wild and Scenic Rivers. These are two  
36 different topics that I think should be of interest to you as a  
37 body.

38

39           So let me start by showing you the map of the habitat  
40 conservation areas the that Forest Service was talking about  
41 this morning, which they did not show you. Let me find it  
42 here. Here they are, okay. And forgive the condition of this  
43 map, if you would, it's seen a lot of travel around Southeast.

44

45           CHAIRMAN THOMAS: Here comes an assistant, Dave.

46

47           MR. KATZ: Okay.

48

49           (Off record comments - setting up map)

50

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1  
2 MR. KATZ: Okay. Mr. Chairman and members of this  
3 Council, this is what the Forest Service .....

4  
5 (Off record comments - microphone)  
6

7 MR. KATZ: This is what the Forest Service is going to  
8 be proposing as a land management strategy, as a wildlife  
9 conservation strategy on the Tongass. They will be proposing  
10 this tomorrow in their amendment to the existing Forest Plan,  
11 the existing TLMP. Later, in another several months, they will  
12 come out with an actual draft revision. So this is the  
13 amendment and they will then consider this with a lot of other  
14 wildlife information in the revision and decide whether or not  
15 they actually want to finalize this.

16  
17 CHAIRMAN THOMAS: The green, is that the areas of  
18 amendment?  
19

20 MR. KATZ: Yes. There are two things on here. There  
21 are large habitat conservation areas and medium habitat  
22 conservation areas, the rules for them are exactly the same but  
23 the sizes of them and the distribution of them is different.  
24 In order to have viable well-distributed populations of  
25 wildlife all across the Tongass National Forest, which the  
26 Forest Service is required to do under the National Forest  
27 Management Act, they have determined to set up a series of  
28 wildlife conservation areas, habitat conservation areas spread  
29 across the forest. And this is the series that they are  
30 proposing.

31  
32 There are large habitat conservation areas which are in  
33 green and there are medium habitat conservation areas which are  
34 yellow. All of these would be off limits to development;  
35 that is that they would be off limits to logging, and the rules  
36 for roading and other development would also be designed to  
37 conserve the area for habitat. So this is what they'll be  
38 proposing. This is something different that has (sic) been  
39 done on the forest before, never had they set aside areas like  
40 this.

41  
42 CHAIRMAN THOMAS: When you say medium and large, is  
43 that making reference to area size?  
44

45 MR. KATZ: Yes.

46  
47 CHAIRMAN THOMAS: Okay.

48  
49 MR. KATZ: That's what it makes reference to. And the  
50

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theory behind that is you have to have enough intact habitat to support viable populations of animals and allow them to interact with one another. And then from there, the habitat conservation areas are spread out across the forest in such a way that the -- over the long term, animal populations are theorized to be able to migrate among all these areas. So that you can do a lot of management, a lot of logging, essentially, in the areas that are white on the map.

9

10 But if you have this kind of an arrangement of habitat set asides, you will still maintain viable populations, because the animals will have reserves and the reserves are close enough together that they can migrate among the reserves over time. And that, the Forest Service thinks, will maintain viable populations as they are required to do under the National Forest Management Act.

17

18 There is something else on this map as well which is -- which are goshawk protection areas, that's the other thing. When they looked at goshawks, they found out that goshawks had such large home ranges in some part of the Tongass that it looked as though this habitat conservation area strategy alone would not protect them. And people have petitioned to put them on the Endangered Species Act, not SEACC, that is the Southeast Alaska Conservation Council, we did not do that but a couple of groups, a group outside of Alaska petition. And so the Forest Service is also going to protect goshawk nests.

28

29 Here is an example of some goshawk nest protection. These are actual goshawk home ranges. They put some radios on goshawks when they -- and they tracked where they went. And when they got enough trackings for these goshawks, they said well, we're going to stay -- for the time being, we're going to stay out of their home ranges. For places where they didn't have radio telemetry data and yet they found nests, what they did was average out the home ranges that they got from the radios and put simply protective circles around the nests that they didn't have radio data for.

39

40 And on the North Tongass, they put two mile radii around the nests in which logging is off limits. And on the South Tongass, they are putting 8.4 mile radii around these nests. And there are -- you probably can't see from where you are, but there are small circles and -- here, here's another nest. Let's see. And they are doing that for all nests discovered prior to 1994. For nests discovered this year, they are only adopting a 600 acre buffer around that nest.

48

49 And there is -- unfortunately I can't tell you what the  
50

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logic is behind this because I don't think there is any. And to be just perfectly blunt, I think the reason why they're doing it is because they found out that if they actually protected those nests in 1994, it would take too much timber out of where they wanted to cut. So they did not adopt these measures for goshawk nests found in 1994 but only for those up until that year. That is, the big protections were for ones before 1994 and the smaller protections were for ones discovered this year.

10

11 So I thought I would show you this map so that you had some idea of what the Forest Service is going to do. When they determined to do this, the first thing they did was figure out where it's protected already. You know, the things in blue are wilderness areas, the things in pink are legislative roadless areas throughout the forest. And the first thing that the biologists committee did was say what's protected already, let's stick our habitat conservation areas there; the lands that are already off limits; and after that, we'll decide whether we need to protect more. And they decided they did need to protect more and came out with this as one arrangement for this kind of network of set asides.

23

24 CHAIRMAN THOMAS: Are those new designations?

25

26 MR. KATZ: Yes. These .....

27

28 CHAIRMAN THOMAS: Or is that an expansion of existing designations?

30

31 MR. KATZ: Well, within wilderness areas or roadless areas, that's already been done, there's nothing new there. And you're drawing pictures inside a wilderness area that's already off limits, it doesn't change anything. But for the ones outside of present set asides, these would be new designations.

37

38 Now, bear in mind two things. This is an interim designation. It's just until -- this is an amendment to the existing plan, it's just until they do the next Forest Plan revision. They're going to be looking at this, the new, big draft revision will be out in the summer, next summer. And in that, they will either affirm what they've done or say well, we've got some new theory that -- some new approach that's going to protect wildlife populations across the Tongass as we're required to do. And so it's possible that they won't adopt this. We expect them to adopt something like this but, you know, we know -- we're just about certain that's what -- this is what they're going to propose tomorrow or on Tuesday.

50

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But as far as .....

2

3 CHAIRMAN THOMAS: What's the attitude of your council,  
4o you think that's too conservative or too extensive?

5

6 MR. KATZ: Well, no, they're not too extensive; and in  
fact, they are too conservative and let me tell you why.  
There's a couple of reasons why. This plan received a big blue  
ribbon panel peer review of conservation experts from around  
the country. What those experts said was that this plan was a  
good start but it didn't go far enough, that if anything, you  
needed to protect more habitat.

13

14 On the Tongass, much of the Tongass is very fragmented  
naturally. There's -- two-thirds of the Tongass is rock ice  
and muskeg. The -- on the north end especially, you know, we  
know our lands are very incise and so habitats are naturally  
separated from one another. And the experts said that, in  
their peer review, that they thought that this might not be  
enough.

21

22 Here's a couple of things that they leave out. There  
are no travel corridors on this map. That is a question that  
was asked earlier, and I was just delighted to hear somebody go  
right to the heart of the matter. There are no travel  
corridors on this map, there are only the habitat conservation  
areas. And if you're going to allow logging all around the  
habitat conservation areas, what you're doing is creating  
islands of habitat in a sea of clearcuts, and that's not what  
you want to do. You want to make sure that you have travel  
corridors.

32

33 In addition, what's left out of this is management for  
the area in-between these habitat conservation areas. I mean  
how is a deer from this area in Honker Divide going to know to  
get over to here? Well, they're not going to know. And so you  
have to provide corridors and you have to provide management  
for those areas, management for the areas that are outside,  
that's called the matrix, that's the term of art they use. So  
you have to provide corridors and matrix management. None of  
that is in the present plan.

42

43 And in addition, they don't protect goshawk nests for  
4494.

45

46 MS. ROBINSON: From what?

47

48 MR. KATZ: I'm sorry?

49

50

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1 MS. ROBINSON: Repeat that.  
2  
3 MR. KATZ: They are not protecting goshawk nests that  
4 are found in 1994 except with a 600 acre what they call a post-  
5 budging area instead of an 8.4 mile radius circle around it.  
6  
7 MS. ROBINSON: How many miles is 600 acres?  
8  
9 MR. KATZ: Oh, gosh.  
10  
11 MR. ANDERSON: It's about one-third.  
12  
13 MR. KATZ: An acre is -- 640 acre- -- no.  
14  
15 MS. ROBINSON: Well, just a rough estimate.  
16  
17 MR. ANDERSON: Well, an acre is like 220 feet square,  
18 am I right?  
19  
20 MR. KATZ: Yeah.  
21  
22 MS. ROBINSON: Okay. That gives me a rough idea.  
23  
24 MR. KANEN: Forty-four thousand square feet an acre.  
25  
26 MR. ANDERSON: Well, 2 x 2 is .....  
27  
28 MR. KATZ: There's 640 acres.  
29  
30 MR. KANEN: You get about 640 acres per square mile.  
31  
32 MR. KATZ: Yeah, 640.  
33  
34 MR. ANDERSON: Yeah.  
35  
36 MR. KATZ: Six hundred and forty acres in a square  
37 mile.  
38  
39 UNIDENTIFIED VOICE: Six hundred and forty acres a  
40 square mile.  
41  
42 MR. KATZ: So that's right, it's about one square mile  
43 instead of, you know, .....  
44  
45 MS. ROBINSON: Okay.  
46  
47 MR. KATZ: ..... an eight mile.  
48  
49 MS. ROBINSON: As compared to 8.something you said?  
50

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1  
2 MR. KATZ: Yeah. That's just the radius or what's the  
area, area is the Pi R squared. I haven't figured it out, but  
that's the eight mile radius; obviously, it's a lot less  
protection.  
6  
7 MR. GEORGE: We'll wait.  
8  
9 MR. KATZ: So at any rate, over the .....  
10  
11 MR. GEORGE: We'll wait while you figure it out.  
12  
13 MR. KATZ: Well, we can do it. I mean what is it, Pi R  
squared. So  $64 \times 3$ , it's 12, 18, 19 -- 192 square miles about  
15 opposed to one square mile. So there's a big difference.  
16  
17 This is a half-measure, okay, we like this in that  
they're finally starting to actually deal with the fact that  
you need to protect wildlife populations on the forest. But we  
don't like it because it's only a half-measure, and once again,  
some of these habitat conservation areas have had logging in  
them and they've moved some of them to allow logging. So the  
protection of wildlife is still not fully at the top of the  
24st here.  
25  
26 One thing which is important about this map is that it  
has -- it may not have anything to do with subsistence areas.  
Okay. And that was one of the things which I noticed about the  
presentation of the Forest Service earlier, which was, you  
know, I thought a reasonable presentation but it said nothing  
about subsistence. Where are the important subsistence areas  
here?  
33  
34 In the material that I've given to you, I suggest that  
the Forest Service is still not protecting subsistence. And if  
you turn to the -- this particular sheet, this is one of the --  
this is a sheet that was photocopied out of the recent Ushk Bay  
timber sale. It's in Peril Strait up in the Sitka area. I was  
there for the subsistence hearing on it, which was I guess a  
little over a year ago, and the testimony was very strong  
against that timber sale. That timber sale takes place right  
42 here. Ushk Bay, Poison Cove, Deep Bay, it's all in here.  
Mr. Kitka's land, Herman Kitka's land, was excluded from this.  
44 They're not -- I believe they're not going in there right now.  
45  
46 Thank you. Anyway, where am I? Here we are. That  
timber sale is right here; Peril Strait in-between Baronof and  
Chichagof Islands; a very heavily used subsistence area. This  
shows you that this approach doesn't get to subsistence. And  
50

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the Ushk Bay timber sale came out after they knew they were going to adopt something like this. This arrangement is about two year -- two or three years old at this point. And the Ushk Bay timber sale came out and here is the boiler plate language that the Forest Service is using: It is not possible to lessen harvest in one area and concentrate it another area without impacting one or more rural communities in important subsistence use areas. This is the boiler plate language that appears in every single timber sale now, every one.

10

11 If we -- we have to log, if we don't log one place, we'll have to log another place, and the impacts are all the same and, therefore, it's okay to do it. And under ANILCA, Section 810, they are required to make these findings that they're using the least amount of land possible and there's some other findings Staff will make. But basically, the subsistence areas still are not being protected.

18

19 So I am suggesting that this body consider passing a resolution in favor of a subsistence land use designation in the Tongass Land Management Plan. A subsistence LUD would contain standards and guidelines that the Forest Service had to use in managing areas that are important to community subsistence. The Peril Strait area is just one example, obviously there are others, you know, down south and all over the Tongass where timber sales go in and the Forest Service finds some reason to say they're doing the best they can.

28

29 So the point of what I've said so far is that even after this plan is out, the Forest Service is still doing the same thing for subsistence that they had been doing in the past, which is not really protecting it. And based on that, I am encouraging this body to think about a subsistence land use designation.

35

36 The problem with the subsistence land use designation is that whenever you enclose one thing -- whenever you protect one thing, you are by definition not protecting the stuff that's on the outside. And what you want to make certain is that there is no lessening of protection for other subsistence areas, no lessening of subs- -- yeah, of subsistence protections in those areas which are not included within the subsistence LUD. What you would do would be to submit -- in subsistence hearings or otherwise, communicate to the Forest Service those areas which each community wants protected for subsistence, get them to include that, designate that for subsistence in the new land management plan.

48

49 And the areas could be quite specialized. I mean,

50

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Where people from Hoonah go importantly to harvest subsistence resources, where people from Kake could go, where, you know, people from each community could go. I have not submitted to you any suggested language for such a resolution because I think that that language would need to be worked out among subsistence users themselves, you know, perhaps in conjunction with SEACC since we have an interest in it.

8  
9 And now, I should tell you that SEACC is a coalition of 16 conservation groups in 12 communities throughout Southeast Alaska, from Ketchikan all the way up to Yakutat. And so, you know, I know some of you are familiar with us and others may not be. But .....

14  
15 MR. GEORGE: Okay. I can't quite hear you.  
16

17 MR. KATZ: Sorry. I'm sorry. Some of you I know are familiar with SEACC and others may not be quite as familiar. But subsistence is a very, very important matter for us, and so I wanted to bring -- you know, just show you this and make sure you know that in the Southeast Alaska Conservation Council you have a very strong ally for subsistence uses.

23  
24 CHAIRMAN THOMAS: Okay. Well, let's take a look at your slides, and then .....

26  
27 MR. KATZ: Thank you.  
28

29 CHAIRMAN THOMAS: ..... we'll see if we got any questions or barbs or anything to throw at you after the .....

31  
32 MR. KATZ: Thank you, Mr. Chairman.  
33

34 CHAIRMAN THOMAS: Our potato -- our tomato did get after than yesterday.

36  
37 MR. KATZ: Okay. Thanks, I can't wait, I like tomatoes.  
39

40 CHAIRMAN THOMAS: So we'll -- Dolly, did you have a comment?  
42

43 MS. GARZA: Yeah, I have a suggestion before we do the slide show is we do have a letter that Carol is going to draft to send to Bob Vaught. I never did quite understand his last name.

47  
48 CHAIRMAN THOMAS: Vaught.  
49

50

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1 MS. GARZA: Requesting that we have a rural Native  
 2 person involved in the planning team, and that the Southeast  
 3 Advisory Council be informed and involved with the TLMP  
 4 process. Perhaps, we can put in that letter a request that we  
 5 want a discussion on subsistence land use designation areas.  
 6 And so it would go as one letter, and it would hopefully be a  
 7 letter that would be responded to.

8  
 9 CHAIRMAN THOMAS: Good.

10  
 11 MR. KATZ: Thank you.

12  
 13 MR. VALE: Mr. Chairman.

14  
 15 CHAIRMAN THOMAS: John.

16  
 17 MR. VALE: I'd just like to echo that just a little  
 18 but, you know, I've been groping here myself for a solution as  
 19 to how to protect important habitats for subsistence. And I  
 20 think we've been presented with a very good, excellent  
 21 suggestion for how to protect important habitats in this  
 22 subsistence LUD zones. I think that's a terrific idea that we  
 23 should follow through on.

24  
 25 CHAIRMAN THOMAS: Mim.

26  
 27 MS. ROBINSON: Just a real simple question is do you  
 28 guys have a possible suggestion for resolution, an actual draft  
 29 something?

30  
 31 MR. KATZ: We can certainly work one up, I don't think  
 32 would be all that difficult to do. Before presuming to do  
 33 that, I wanted to .....

34  
 35 MS. ROBINSON: Yeah.

36  
 37 MR. KATZ: ..... come to the body first.

38  
 39 CHAIRMAN THOMAS: Patty.

40  
 41 MS. PHILLIPS: Did you say the white zones on the map  
 42 are available for timber sales?

43  
 44 MR. KATZ: Yes. Of course, there's not timb- -- there  
 45 isn't timber in all of those white zones. I mean, this all  
 46 along here is mainly mountain and so forth, but in places such  
 47 as Prince of Wales Island, much of the area that is white is  
 48 available for -- all the area that is white is available for  
 49 timber where there is some there.

50

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1  
2 CHAIRMAN THOMAS: Richard.  
3  
4 MR. DALTON: Yes. There's two or three questions that  
5 would like to ask of the gentleman. Was something like this  
6 designed before they invaded Tongass National Forest Service on  
7 clearcutting?  
8  
9 MR. KATZ: Before they .....  
10  
11 MR. DALTON: Before the clearcutting started in  
12 Southeast Alaska, .....  
13  
14 MR. KATZ: No.  
15  
16 MR. DALTON: ..... was that design made to protect the  
17 habitat?  
18  
19 MR. KATZ: The purpose of this is to protect wildlife  
20 habitat.  
21  
22 MR. DALTON: You didn't answer my question. I asked  
23 you a question. Did the Forest Service make that plan before  
24 they started clearcutting?  
25  
26 MR. KATZ: No. No, certainly not.  
27  
28 MR. DALTON: That's all I needed to have you answer.  
29  
30 MR. KATZ: Yeah.  
31  
32 MR. DALTON: Why is it necessary now for this  
33 particular motion if -- with this other -- how does it verse  
34 with clearcutting and habitat area protection?  
35  
36 MR. KATZ: Well, the Forest Service .....  
37  
38 MR. DALTON: Is there versatility there?  
39  
40 MR. KATZ: I'm sorry, Mr. Dalton?  
41  
42 MR. DALTON: Is there a variation there?  
43  
44 MR. KATZ: The Forest Service .....  
45  
46 MR. DALTON: How does it verse the habitat with the  
47 clearcutting where it shows on the white spot, are they still  
48 attending to clearcut? There's still animals there.  
49  
50

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1 MR. KATZ: That's correct. And they are .....

2

3 MR. DALTON: How are you going to chase them into that

4 green area .....

5

6 MR. KATZ: Good question.

7

8 MR. DALTON: ..... for their protection (ph)?

9

10 MR. KATZ: Good question. And please remember that I'm

11 not from the Forest Service, you know, I'm from the Southeast

12 Alaska Conser- -- .....

13

14 MR. DALTON: Well, I needed to ask you that

15 question, .....

16

17 MR. KATZ: ..... Conservation Council. Yeah.

18

19 MR. DALTON: ..... and I needed an answer.

20

21 MR. KATZ: No. The theory is that you must protect

22 large blocks of habitat in order to give wildlife populations a

23 chance to exist. And so you find out where some good habitat

24 is, and of- -- and that has something to do with the kind of

25 timber you have in there. It's got to be good timber. There's

26 some standards for it. And you just set that area off limits

27 and you say well, that's as good as we can do. But on the area

28 on the outside, they're going to be clearcutting. That's why

29 you have to be very careful about how you clearcut, whether you

30 clearcut at all, and that's why you've got to have wildlife

31 corridors among these different set asides.

32

33 MR. DALTON: I guess that's one of the reasons why that

34 Hoonah Totem Corporation stopped their own timber of

35 clearcutting, because there was entirely too many animals

36 killed off by clearcutting. And that's one of the reasons why

37 we still got some timber standing in Hoonah area. But that

38 still doesn't prove anything as far as Tongass National Forest

39 Service, they're still clearcutting outside of our own

40 boundary. But Hoonah boundary is over 380 square miles .....

41

42 MR. KATZ: Um-hum.

43

44 MR. DALTON: ..... that used to be managed by Hoonah

45 people, Kake and Angoon was the same way.

46

47 MR. KATZ: Um-hum.

48

49 MR. DALTON: And Craig and Klawock had their

50

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boundaries. Sitka had, Juneau had. And I think this is where we're going to have to go by tribal management, if it needs to be.

4

5 CHAIRMAN THOMAS: Thank you, Richard. Further  
6 questions, comments? We're going to have time for more  
7 questions and comments after the slide show. The slide show is  
8 going to be in conjunction with the comments that were made.

9

10 MR. KATZ: Okay. Briefly, do you want to -- let me  
11 introduce Andy Romanoff who is our Wild and Scenic Rivers  
12 coordinator, and Andy will tell you about the slide show.

13

14 MR. ROMANOFF: Hi. I want to thank all of you for  
15 allowing Staff the time to come and make our presentations and  
16 talk to you about some of the ideas that we're pursuing and  
17 we think that you may also be interested in.

18

19 One of the means of providing additional habitat  
20 protection and protection for subsistence customary and  
21 traditional uses and other interests on the Tongass and also in  
22 providing the linkages between some of these habitat  
23 conservation areas is the Wild and Scenic Rivers process. This  
24 process is actually a component of the Forest Service's  
25 planning and work under the Tongass Land Management Plan.

26

27 And over the last couple years, SEACC has been  
28 traveling throughout the region talking to various folks in  
29 communities around the Panhandle trying to find out just what  
30 rivers are most important for customary and traditional uses,  
31 for recreation, for commercial fisheries and other uses that  
32 people care and are concerned about. And we have compiled much  
33 of this information into a draft proposal that we are planning  
34 to present to the Forest Service sometime in the upcoming few  
35 months in hopes that it will be incorporated into the Tongass  
36 Land Management Plan alternatives.

37

38 In the original supplement to the draft, TLMP, back in  
39 1991, the Forest Service evaluated Tongass rivers and determined  
40 that 112 were possibilities. They then further narrowed the  
41 list down to 24 rivers to receive this sort of protection, 12  
42 of those -- I believe it's 12 -- are already protected. And  
43 there are approximately 1,500 first order streams on the  
44 Tongass, streams that actually run into the ocean, into  
45 saltwater. And it's our belief and the belief of many citizens  
46 throughout the Tongass that one dozen rivers is far too few out  
47 of a 17 million acre rain forest with over 1,500 streams that  
48 run into the ocean.

49

50

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1           So this slide show which is currently being taken  
 2 around the Panhandle by SEACC; it was in Haines last night,  
 3 it's been in Ketchikan, Port Protection, Whale Pass, it's going  
 4 to Petersburg and Wrangell next week and in Juneau two weeks  
 5 from now. We're planning on taking it to all communities that  
 6 we can. And we're wanting to take this draft proposal that  
 7 we've put together with the help of many people throughout the  
 8 Tongass back to the people to make sure that these rivers are,  
 9 indeed, the ones that people feel should be protected and  
 10 deserve to be protected for subsistence purposes.

11  
 12           CHAIRMAN THOMAS: Are you set up to where somebody can  
 13 run -- .....

14  
 15           MR. ROMANOFF: I'm all set up, I just wanted to give a  
 16 brief analysis.

17  
 18           CHAIRMAN THOMAS: ..... somebody can run the projector  
 19 and you make comments as it goes along?

20  
 21           MR. ROMANOFF: Um-hum. Yeah.

22  
 23           CHAIRMAN THOMAS: That will probably help, because I  
 24 know that during your presentation, you'll be repeating some of  
 25 the same thing.

26  
 27           MR. ROMANOFF: Right, that's true.

28  
 29           CHAIRMAN THOMAS: I would like for you to place an  
 30 emphasis on the comparison of streams that are there compared  
 31 to the ones that are designated, the 1,500 compared to the 34  
 32 (sic). Understand?

33  
 34           MR. ROMANOFF: Not completely.

35  
 36           CHAIRMAN THOMAS: Well, there's only a few streams that  
 37 are being considered for protection now, right?

38  
 39           MR. ROMANOFF: Right, correct.

40  
 41           CHAIRMAN THOMAS: Okay. That's where I want you to  
 42 place an emphasis .....

43  
 44           MR. ROMANOFF: Um-hum.

45  
 46           CHAIRMAN THOMAS: ..... in your presentation, if you  
 47 would.

48  
 49           MR. ROMANOFF: On those streams that are being looked  
 50

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at by the Forest Service?

2

3 CHAIRMAN THOMAS: (Nods affirmatively.)

4

5 MR. ROMANOFF: Okay. The show does some of that.

6

7 CHAIRMAN THOMAS: Okay. Yeah. Why don't we go ahead  
and start with that and then .....

9

10 MR. ROMANOFF: Okay.

11

12 CHAIRMAN THOMAS: Everybody's waiting. Now, this is X-  
rated, so those of you that -- if this is against any of your  
morals, you might excuse yourself.

15

16 (Off record comments - setting up projector)

17

18 MR. ROMANOFF: The Tongass rivers are important to  
Southeast Alaskans for a number of reasons; for salmon, for  
subsistence, for wildlife, for tourism, for recreation,  
commercial fishing and habitat. The rivers of the Tongass are  
central to our way of life. They are our economic backbone  
providing jobs, food and security for thousands of Southeast  
Alaskans. As residents of Southeast, we cannot avoid having  
strong ties to rivers. In this northern mountainous  
environment, our river valleys are critical suppliers of  
subsistence foods, including salmon, deer and various berries.

28

29 Our network of rivers is an integral part of the strong  
subsistence lifestyle found in Southeast. All five species of  
Pacific salmon spawn and rear in our rivers; dolly varden,  
char, steelhead and various trout are also abundant in many  
Tongass streams. These fish create world-renown commercial and  
sport fisheries. The commercial salmon harvest in Alaska has a  
value of \$390,000,000.00 in direct income to the vessel owners.  
The rivers of the Tongass in Southeast contribute very heavily  
to this cash.

38

39 The importance of tourism also cannot be understated.  
Over one million visitors came to Alaska last year, making  
tourism the fastest growing industry in the state. Rivers are  
a significant draw to visitors, whether for people to take in  
the beauty of a river of ice, to sport fish or to watch someone  
else catching a fish, or to experience Alaska in a wilder  
fashion.

46

47 There are at least six rivers in Southeast that are  
currently used for commercial expeditions; the Alsek, the Tat,  
the Mendenhall, the Stikine, the Chilkat and the Admiralty lake

50

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and river network. Many more rivers have such potential but have yet to be utilized. Honker Divide, for example, is a unique series of lakes, rivers and bays that can take canoeists from one side of Prince of Wales Island to the other.

5  
6 In addition to people uses, an old growth forest in a river valley is absolutely critical wildlife habitat, it provides food in its productive and lush understory; and the large, old trees provide shelter from winds and snow. Some of our native animals are at the northern extent of their geographical range, and the warm, protected river valleys of Southeast provide food and cover during the harsh winter months.

14  
15 The productive streamside forests, commonly called the riparian zones, are essential to the survival of most species that live in our region, especially salmon.

18  
19 Are these lights too bright?

20  
21 The density of plants and animals in these riparian zones outnumbers those in other areas of the forest by more than five times.

24  
25 Thank you.

26  
27 Should Southeast Alaskans stand by and gloat that our fisheries appear to be in good health and that our rivers are still wild and free? There are hundreds of thousands of dams on the United States drowning the life of out of 600,000 riverine miles. Additionally, the nation's rivers have long been used as sewage channels ridding cities of their waste. It appears that now is the time to assure that the fate of the rivers in the Lower 48 is not repeated on the Last Frontier.

35  
36 Citizens from across Southeast have been working hard to protect fishing, hunting, subsistence, tourism and recreation by protecting a few of Southeast's greatest rivers under the National Wild and Scenic Rivers Act. Congress passed this Act in 1968 as a direct response to the rapid degradation of America's rivers. American citizens urged Congress to pass the Act in order to seek balance in the management of our nation's river resources. The Act is designed to do two things; one, to protect a portion of the nation's rivers from development and, two, to provide for recreational and non-damaging forms of river use.

47  
48 There is considerable flexibility within the Wild and Scenic Rivers Act, it does not interfere with hunting, fishing  
50

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and recreation. In fact, the Act was designed by people who were interested in protecting these activities. Under the Act, communities and interested citizens can determine what kind of management they want for the rivers that are important to them. Some Wild and Scenic Rivers allow nearly every conceivable activity except dams, other designations provide broad undeveloped corridors.

8

9 The Forest Service is currently looking for Wild and Scenic Rivers on the Tongass and will be considering rivers in the Tongass Land Management Plan. TLMP will tell us how the Forest Service intends to use Tongass resources, including rivers. In order to be designated as wild or scenic, a river, stream or estuary; it's not limited to just freshwater systems; must possess at least one outstandingly remarkable value. That value can be recreational, scenic, fish and wildlife, geologic, historic, cultural or some other value.

18

19 SEACC has been working with Southeast Alaskans to create a draft Wild and Scenic Rivers proposal listing those rivers that are most important to Southeast Alaskans. We'll be giving this proposal to the Forest (sic) very soon, but first we need your ideas. We want to know what your favorite rivers are. Right now from Southeast, in our proposal, we have about 24 rivers listed.

26

27 Some of these rivers are the Antler River. The Antler River is one of the four main rivers that flows into Berners Bay about 40 miles north of Juneau and has large runs of many species of salmon, a large hooligan spawning area and is a common recreation site as one can land by float plane on the Antler Lake and then travel down the river. This shows the confluence of the Antler and Berners Rivers up in Berners Bay. Four of these rivers; Antler, Berners, Gilkey and the Lace River; are all potentially threatened by a possible road linkage between Juneau and Haines.

37

38 Iris Meadows Creek on Northwest Kruzof Island is a common recreation site for Sitkans who can travel to the eastern side of Kruzof and take a short walk across the island to the Iris Meadows area. Additionally, as with the Berners system, the Iris Meadows is a very rich and productive creek, are almost all the systems in Southeast.

44

45 Sandborn Canal in Port Houghton, about 60 miles or 70 miles south of Juneau, is an incredibly productive system, an incredibly productive waterway. Freshwater tributaries which drain into the Sandborn Canal are about three and a half miles long, but total escapements of salmon at the Sandborn can be in

50

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excess of 300,000 fish. Scoping was just started by the Forest Service last week for a timber sale which plans on taking up to 335 million board feet around the Sandborn Creek and its tributaries and the land to the west.

5

6 Duncan Salt Chuck on northeastern Kupreanof Island is one of very few undamaged salt chucks on islands in the Archipelago. It has a number of Forest Service cabins in and about its area. It's a very rich area for fish as well as mammals.

11

12 Tunehean Creek is on southwestern Kupreanof Island, just -- enter saltwater the southern end of Rocky Pass and Kiku Straits and has a fairly productive dungeness fishery at its mouth and also has very strong runs of four species of salmon.

16

17 And of course, there's the Thorne River, the very well-known Thorne River and Hatchery Creek system of Honker Divide on Prince of Wales.

20

21 These sorts of rivers are the rivers that the Wild and Scenic Rivers Act are meant to protect. Unfortunately, many of the Tongass' best rivers are threatened, but the Wild and Scenic Rivers Act gives us the opportunity to protect rivers and our way of life.

26

27 The current major industrial activity that threatens the natural pristine Southeast Alaska rivers is industrial scale clearcut logging.

30

31 The health of a stream is directly related to the health of its forests and surrounding wetlands. These riparian forests regulate water temperature, create fish spawning and bearing habitat and keep stream banks and hillsides from eroding. They are also highly productive wildlife habitat. Unfortunately, the productive nature of riparian systems makes them prime targets for exploitation and development.

38

39 Once a valley is cut, the trees do come slowly back, but the complex habitat is lost for centuries. Forest Service ecologists estimate that it takes between 300 and 500 years for a clearcut riparian area to return to its natural diversity. Responsible logging can dramatically alter a stream. Stanley Creek on Prince of Wales Island was heavily logged in the 1970s. It has lost the trees that keep the banks from eroding and has widened and become broad and shallow. There are no bearing pools for fish, there's a lack of nutrients, and the stream is vulnerable to temperature extremes both summer and in winter.

50

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1  
2 This watershed on Etolin Island was logged more  
3 recently. During strong rains, the clearcut valley washes out.  
4 The Forest Service is now attempting to stabilize the damaged  
5 stream by placing logs in its path. Restoration projects like  
6 this are difficult, expensive and they have only limited  
7 success, especially in areas such as this. It's much better to  
8 log responsibly and protect these riparian systems in the first  
9 place.

10  
11 Poor forestry practices can turn a meandering salmon  
12 stream full of spawning gravel and riffles into a murky and  
13 scoured river bed devoid of spawning gravels and rearing pools.  
14 In the summer of '93, the Alaska Department of Fish & Game  
15 implicated logging in the death of thousands of pre-spawned  
16 salmon on Prince of Wales Island.

17  
18 Tongass streams do have some protections. The Tongass  
19 Timber Reform Act of 1990 requires minimum 100 foot buffers  
20 along all salmon and trout streams, most all. Trees in the 100  
21 foot buffers can provide shade and the ability to stabilize  
22 stream banks. Although these buffers can be protective of some  
23 rivers, they fall short of protecting the health of many  
24 streams. Unfortunately, our shallow soils, heavy rainfall and  
25 frequent winds all contribute to blowdown. A narrow strip of  
26 trees is very vulnerable to wind damage. In many drainages, a  
27 hundred foot buffer is inadequate for this reason alone.  
28 Buffers will often fail to account for steep and unstable  
29 slopes above and will not protect a stream from high sediment  
30 loads.

31  
32 And because the Tongass buffer law doesn't protect all  
33 tributaries, water with unnaturally high temperatures and a  
34 large amount of silt can still flow down into the streams that  
35 buffers are meant to protect. One hundred foot buffers are  
36 often too narrow to maintain a healthy stream and riparian  
37 forest ecosystem. The entire food web, from micro organisms  
38 to brown bears, may need a streamside corridor larger than 100  
39 feet.

40  
41 The Wild and Scenic Rivers Act provides a minimum of  
42 one-quarter mile corridor along each side of the river. In  
43 1980, the Alaska Lands Act provided one-half mile corridor on  
44 Wild and Scenic Rivers in Alaska. There are a number of rivers  
45 in Northern Alaska that now have one-half mile protected  
46 corridors. There's one river in Northern California that has  
47 received full watershed protection under the Wild and Scenic  
48 Rivers Act. The Wild and Scenic Rivers Act is a great  
49 opportunity for us to protect rivers and the uses that are  
50

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important to all of us.

2

3 SEACC wants to thank all those in Southeast who helped  
 4 to bring our draft Wild and Scenic Rivers proposal together.  
 5 Now, with these slide shows, we're intending to improve the  
 6 draft and make sure that we have the best rivers in it. Then  
 7 we'll present it to the Forest Service for inclusion in their  
 8 management plan. I do have a couple of copies of this with me  
 9 for anyone who's interested in seeing it.

10

11 SEACC supports a flexible Wild and Scenic Rivers  
 12 proposal. People who get involved in the Wild and Scenic  
 13 Rivers' process can help determine the management guidelines  
 14 for the rivers they use. If people in, say, Petersburg are  
 15 interested in allowing salmon enhancement, fish enhancement  
 16 projects on the river, then that can be written into the Act --  
 17 into the actual management plan for that river. And other  
 18 communities interested in allowing personal wood cutting for  
 19 winter use, some reason, what have you, then that can also be  
 20 written in the Act. It's a very flexible system and it's  
 21 designed to work with local communities.

22

23 There's no time to waste in protecting the river  
 24 sources of the Tongass. With the Forest Service planning now  
 25 and the collapse of the fishing industry in the Pacific  
 26 Northwest, a very telling reality, we must be proactive.

27

28 Thanks. That's the show. Big Brother is watching.

29

30 It's interesting to take a look at this map and if we  
 31 could have -- where rivers in the SEACC proposal are laid out  
 32 in relation to these habitat conservation areas, many of them  
 33 provide the linkages between these areas that are so critical  
 34 for travel corridors and movement amongst these protected  
 35 places, especially along our best linkage system where it's  
 36 down here between the Stikine River area and Misty Fjords. And  
 37 Hatchery Creek and Thorne River linkage provides a connection  
 38 between North and South Prince of Wales. We have a number of  
 39 different linkages possible with these rivers on Northern  
 40 Chichagof and also in various areas of Baronof Island.

41

42 So what we're doing now is we are -- we've got our list  
 43 of rivers, I handed that out to some of you, I actually didn't  
 44 have enough copies and I apologize for that. We have received  
 45 input from dozens and dozens of people on the rivers that they  
 46 believe are the most important to their lifestyles, and their  
 47 work, and their diets and all that. And we're in the process  
 48 taking this show out to as many people as we can to  
 49 hopefully get as much feedback as we can to find out what are

50

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the rivers we should be including, what are the rivers the Forest Service needs to take a look at, and if there are any rivers in our proposal that we haven't -- or that we should not be including for whatever reason it may be.

5

6 And so if I can, I'd like to ask all of you for your input, if you have any. We're really wanting to know just what rivers are important to all of you. And the most crucial thing is that the Forest Service needs to know this. And they're in the process now of putting together their alternatives for the land management plan, and it's these alternatives that will address what rivers are to be considered for protection under the Wild and Scenic Rivers Act. So my recommendation, therefore, would be to not only communicate this information to SEACC for our interest but for your interest to communicate it to the Forest Service.

17

18 Do you have anything to elaborate on, Dave?

19

20 MR. KATZ: Do we have any of those LUD proposal draft papers (ph)?

22

23 MR. ROMANOFF: I have two copies of our proposal or draft proposal .....

25

26 MR. KATZ: Let's just show them (indiscernible - away from microphone) .....

28

29 MR. ROMANOFF: ..... with me now.

30

31 CHAIRMAN THOMAS: These here?

32

33 MR. KATZ: No. Those are .....

34

35 CHAIRMAN THOMAS: These are the blank forms.

36

37 MR. KATZ: Yeah. We've got the bound proposal (indiscernible - away from microphone) .....

39

40 MR. ROMANOFF: Actually what we've done is taken all of the blank forms that you have with you and all the responses that we've gotten from those and put them together into this draft proposal.

44

45 (Indiscernible comments - away from microphone)

46

47 MR. KATZ: So simply to put everything we've said so far in context, it's all about the Tongass Land Management Plan. It's about subsistence and a subsistence LUD, land use

50

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designations, and it's about Wild and Scenic Rivers and protecting the rivers on the Tongass that are so important for habitat and for subsistence uses. That's all part of the new Tongass Land Management Plan. And we're more than happy to answer any questions that you might have for us. And thank you very, very much for allowing us to take up this much of your time. We really appreciate it.

8

9 CHAIRMAN THOMAS: Lonnie.

10

11 MR. ANDERSON: Dave, looking through your things, of course, there was transportation corridors with the interties, the Tyee and the Swan Lake interties, that even in the northern, is that taken into consideration when you designate these scenic rivers or is it .....

16

17 MR. KATZ: Do you want to answer?

18

19 MR. ANDERSON: ..... are we going to have a battle over transportation corridors at a later date if we don't establish honor those corridors that's already been established? You can see what would happen.

23

24 MR. KATZ: Um-hum.

25

26 MR. ANDERSON: And the reason for it, of course, Hoonah, Angoon, Klawock or a lot of these communities that depend primarily on fossil fuel. With the elimination of the subsidy, in as two or three years, our cost of electricity is going to increase at least 40% more than what it does now, and we are going to have to seek other energy sources. And if that means that we don't -- Kake would have to go towards Petersburg. Angoon, Hoonah, Snettisham possibly or -- but that's late. So those things need to be .....

35

36 MR. KATZ: Um-hum.

37

38 MR. ANDERSON: ..... worked in there. And if I'm reading you right, those have not been worked into this plan that you've presented.

41

42 MR. KATZ: Do you want to respond to it?

43

44 MR. ROMANOFF: I can respond to that regarding rivers. The Act is incredibly flexible. And if there is a transportation corridor within one of these drainage areas, within say an area that would be protected under the Act, it can either be written in the management plan for that river under the Act to preclude that transportation corridor or not

50

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to preclude it.

2

3           So that level of protection can be -- it's very  
4 adjustable. And if the community desires a transportation  
5 linkage of some sort through that drainage, then that can be --  
6 that's permissible and that can just be written right in. Tell  
7 me if I'm not addressing your .....

8

9           MR. ANDERSON: Well, I understand that it's .....

10

11          MR. ROMANOFF: ..... question.

12

13          MR. ANDERSON: ..... already in the Tongass National  
14 Forest, see.

15

16          MR. KATZ: Yes.

17

18          MR. ANDERSON: Are you guys telling me that you want to  
19 take it out and then .....

20

21          MR. KATZ: No.

22

23          MR. ANDERSON: ..... rewrite it in?

24

25          MR. KATZ: Not at all. The -- ANILCA, itself, made  
26 provision for certain -- .....

27

28          MR. ANDERSON: Okay.

29

30          MR. KATZ: ..... for certain trans- -- intertie and  
31 maybe transportation, but certainly electricity .....

32

33          MR. ANDERSON: Electricity is the main .....

34

35          MR. KATZ: ..... corridors. And when you designate --  
36 when Congress designates a Wild and Scenic River, what happens  
37 it can designate it at any level of protection it wants,  
38 from wild where you can't do much to scenic where you can do  
39 more to recreational where you can do almost anything. And you  
40 then write up a management plan for that river. And so it's  
41 extremely flexible. The -- you could, if you wanted --  
42 certainly, you can -- when you designate a river under the  
43 Tongass -- under the Wild and Scenic Rivers Act, the community  
44 can make provision for what it wants. And there is -- you  
45 know, I don't think -- I don't even know if it would be  
46 possible to undo what was in ANILCA but certainly we're not  
47 trying to do that. It's -- so the answer is no.

48

49          I mean, what we want to do is make certain that

50

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communities on the Tongass are aware of this Act, that we use it to protect the areas that we want to protect while at the same time providing for the other resources that we think are vital. You know, if somebody wants to, you know, make sure that the Wild and Scenic Rivers designation does not mess up an intertie or transportation link, well, then that's something that, you know, that you need to do.

8  
9 And, you know, I suppose that at some point you could have people on opposite sides of an issue like that. But this is not -- that's not the -- you know, the intent. You could go into a place like -- I don't know -- well, Wrangell or someplace and say well, this area should be protected as a Wild and Scenic River because we use it for guiding and we use it for all sorts of fishing and commercial habitat uses and commercial guiding, for example. And somebody else would say well, but if you protect it this way, you might be -- an electricity corridor through there, an intertie. And so what you do is you figure it out and you write it into the management plan. The Act is very, very flexible.

21  
22 MR. ANDERSON: Now, is this being written into the TLMP plan draft that's coming out today or Thursday or something?

24  
25 MR. KATZ: No. That's -- no. The amendment itself, the amendment to the existing TLMP, is only for that, nothing else. And that's happening -- that -- just for that configuration of habitat conservation areas, nothing else, and that's happening very shortly. After that, they will be going back and doing the full Tongass Land Management Plan Revision and that's where this Wild and Scenic River stuff is going to come up.

33  
34 So our proposal is going to be pretty detailed with respect to the rivers that we are proposing, once we get it finalized. And if there's an ar- -- you know, a river that should be protected but there should be provision for an intertie corridor through there, then that's -- let's put that in. You know, that's where (indiscernible - interrupted, voice lowers) .....

41  
42 MR. ANDERSON: You better put it in on the Portage Creek or we're going to have a war down the line.

44  
45 MR. KATZ: On Portage Creek?

46  
47 MR. ANDERSON: Portage Creek.

48  
49 MR. KATZ: Well, let's make a note of Portage Creek.

50

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1  
2 MR. ANDERSON: Okay.  
3  
4 MR. KATZ: And that's -- okay.  
5  
6 MR. ANDERSON: That's my question, Mr. Chair.  
7  
8 MR. DALTON: Mr. Chairman.  
9  
10 CHAIRMAN THOMAS: Richard.  
11  
12 MR. DALTON: It's still kind of disturbing. I get the  
13 impression of watching the slides we're talking in general  
14 sanctuary, making that into a sanctuary and then protecting  
15 under that sanctuary. It'll come to a point where tribal  
16 management on our option here that we will probably not have  
17 any room to say to protect our interest in the wildlife and the  
18 habitat.  
19  
20 And then the others I heard from you people how much  
21 Tongass National Forest Service has houses along the rivers.  
22 When this became a reality, we became a statehood. Our  
23 smokehouses and our little shelters that we built along the Icy  
24 Strait area and the Tenakee Inlet area and the Port Fredericks  
25 area, United States Government stamped it government property  
26 and they burned the tribal -- I mean the smokehouses. Now, I'm  
27 seeing that United States Government is putting little shelters  
28 here in our territory and our land and our water rights. And I  
29 think that we will have to say something in regards to protect  
30 our interest in this portion of your proposal.  
31  
32 And now asking us on this little legis- -- scenic act,  
33 don't know if I want to go for this at all.  
34  
35 MR. KATZ: Let me address that. Those are -- that's  
36 exactly what everybody, you know, cares about, although, not  
37 perhaps in the same way as you.  
38  
39 MR. DALTON: Well, I can understand that. I only speak  
40 of what you guys are proposing here. It pertains to everybody,  
41 I can agree with that. But as an individual, I'm voicing my  
42 opinion with your plan.  
43  
44 MR. KATZ: Uh-huh. The -- this particular Act, the  
45 Wild and Scenic River Act, doesn't make a thing into a  
46 sanctuary. It's not -- the idea of it is not to keep people  
47 out at all. The idea is to let people use a river the way they  
48 want. So if there are certain things that need to be protected  
49 things that you want to do in that river, you know,  
50

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corridor, let's stick it in there; let's put it into the proposal.

3

4 And the reason why we're making this, such a proposal, however, is because river corridors are so important to so many uses on the forest, and if we don't protect them, we'll lose them. You know, we can lose them to large scale logging, that's one of the -- that's the thing that we care most about usually. And while you're protecting them from that, you don't want to, you know, knock them off limits to the things that people actually use them for. That's -- you know, we're not trying to do that. Anyway .....

13

14 MR. DALTON: Two more remarks here before -- earlier, I mentioned about river transplant on coho, and three years ago in Hoonah, they called it Schendaheen. I'm hearing the same language that we were hearing three years ago, that it was for everybody's use that they were transplanting this coho in that stream. And we told them pointblank that it was not going to materialize for simple reason by tribal law that when the fish congregate out there from their migratory area, they ask each other questions, which river are you going this year. Well, they might say amongst themselves that's a silly question, I'm going to my grandfather's river. So when you take from there, you're going to kill that much, and that's exactly what they did at the public expenses.

27

28 It's not the Forest Service's expenses, it's public expenses that is being used to try to develop something that whereby the public law is saying okay, this is reserved for public to look at. And then a year later, it says there'll be no snagging fish, there'll be no subsistence users coming in here. There were some laws that were just so strict that we could -- there was no fish there, yet they were making the law already, and that fish did not materialize. So I have to criticize the fact that they're fooling around with something that is a natural stock in our culture.

38

39 MR. KATZ: Good criticism.

40

41 CHAIRMAN THOMAS: Okay. The -- that's one of the reasons why I wanted this presentation done here, because we, in the past, haven't really focused much on habitat of anything. We concentrate mostly on the areas of harvest. But we have to always bear in mind that if we're going to be stewards of a resource that we have to be concerned about the habitat. And that was the reason I wanted to hear this presentation, introduce ourselves to this particular conservation council.

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1  
2 The reason for that is in the past, we always  
3 recognized anybody in conservation or environmental issues as  
4 radicals that want to tie up everything and stop us from  
5 breathing and eating. And sometimes you have to be radical to  
6 make radical changes because there's radical devastation that's  
7 going on. And so in those terms, I wanted us at least to have  
8 an introduction to this whole thing.

9  
10 I saw a hand down here, John.  
11

12 MR. FELLER: Yeah. Thank you, Mr. Chairman. I just  
13 wanted to ask Dave, being from Wrangell, I guess there's a  
14 Wrangell Resource Council there. I wasn't aware of that. I  
15 know your people have been in Wrangell, I think I spoke to some  
16 of your members before. And I see Bradfield River is not on  
17 there or is it?

18  
19 MR. KATZ: I don't know, is Bradfield on?

20  
21 MR. ROMANOFF: No, it's not.  
22

23 MR. FELLER: I think it's probably because it might be  
24 logged out 20 some years ago and has extensive road systems. I  
25 see in Bradfield Canal there's two rivers, the Eagle and the  
26 Harding which that's a good move, I think. And on the other  
27 hand, farther up the back channel, there's Aaron and Berg and  
28 another one I wasn't aware of, but -- and Crittenden's right  
29 behind Wrangell, then we work toward the Stikine Flats. I was  
30 wondering is that already protected under a wildlife refuge, is  
31 that the reason why? It's one of the main rivers in the area.

32  
33 MR. KATZ: You mean the Stikine?

34  
35 MR. FELLER: Yeah.  
36

37 MR. KATZ: Yeah. We made an initial cut, an initial  
38 decision, in putting this thing together that we wouldn't  
39 include in our new proposal rivers that were already protected.  
40 Now, the Stikine is protected as wilderness, it's in the  
41 Stikine/LaConte Wilderness. So we decided well, there's only  
42 many rivers we're going to be able to protect here, let's  
43 protect the ones that aren't protected already instead of the  
44 ones that already are protected. So that's why we didn't  
45 include the Stikine River or, for example, the Ushk (ph) or the  
46 Chickamin down on the south end or, you know, some of the  
47 rivers up on the north end that are already protected.

48  
49 MR. FELLER: Yeah. Taku probably, huh?  
50

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1  
2 MR. KATZ: The Tak- -- I don't know, what about Taku?  
3 Yeah, maybe. I'm sorry.  
4  
5 MR. FELLER: Okay.  
6  
7 MR. KATZ: You know, I've lived in Ketchikan for a long  
8 time and I know more about the area down south. Every now and  
9 then, I get embarrassed when people ask me about my own area  
10 now in Juneau and I don't know about it. But at any rate, so  
11 that's why we made that decision. Now, we're sort of  
12 revisiting that a little bit because some of those rivers --  
13 for example, there's one river down in Misty Fjords, the  
14 Wilson, which is in part of the monument that is not wilderness  
15 it's not really protected, we're starting to take another  
16 look at that. And the Stikine is one of those that I think is  
17 just -- is protected and is really solidly protected and  
18 doesn't need to be in our proposal.  
19  
20 MR. FELLER: Yeah. Yeah. I think on our side it is, I  
21 don't know about the Canadian, what their developments could  
22 possibly be .....  
23  
24 MR. KATZ: That's right.  
25  
26 MR. FELLER: ..... in the future; heavy mining  
27 operations up there, gold and ore and stuff.  
28  
29 MR. KATZ: Yeah. That's -- it's up in the air.  
30  
31 MR. FELLER: Consideration. Thank you,  
32 Mr. Chairman .....  
33  
34 CHAIRMAN THOMAS: Okay.  
35  
36 MR. FELLER: ..... and Dave.  
37  
38 CHAIRMAN THOMAS: Anybody else? Thank you very much,  
39 we appreciate that.  
40  
41 MR. KATZ: Thank you very much, Mr. Chairman.  
42  
43 CHAIRMAN THOMAS: And with that, with the studious  
44 participants, we'll take a coffee break. So thank you again.  
45  
46 MR. KATZ: Thank you very much, Mr. Chairman. Thank  
47 you. Thank you all.  
48  
49 (Off record)  
50

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1

2 (On record)

3

4

CHAIRMAN THOMAS: We have been kind of dragging through our agenda, realizing that we were scheduled to meet for three days. We've had some good information. We've had some good exchanges. We've generated some good questions. But before we know it, tomorrow's going to go pretty fast and I want to be sure that we give ourselves enough time to take whatever action we choose to take during this session. We have a couple of proposals to consider, we might consider other proposals. So I guess rather than jumping into my own ideas on agenda, I was just wondering what the wishes of the Council was regarding reflecting some action before we leave here this session. All suggestions are appreciated.

16

17 MR. VALE: Mr. Chairman.

18

19

CHAIRMAN THOMAS: Carol gave me some printed material that are suggested language in a proposal. It's a proposal that would suffice as it is now, but we would have a chance to take a look at it and make whatever changes we would want to do on that.

24

25 John, did you .....

26

27

MR. VALE: Just in answer to your question, I, you know, feel that we need to conclude action on a proposal on the proxy hunting. I feel that's important that we get that done here .....

31

32 CHAIRMAN THOMAS: On which one?

33

34

MR. VALE: ..... on our agenda. And I got the impression you were asking for items that you wanted to make sure we addressed.

37

38

CHAIRMAN THOMAS: Sure.

39

40

MR. VALE: In response to that, that and make sure that we have all our information in an annual report that we have to have in there are the two items I feel are important. And when you get a moment, I'd just like to describe what this handout was that I passed out during the break, too.

45

46

CHAIRMAN THOMAS: We could do that now.

47

48

MR. VALE: Okay. For the Council members and the folks at the audience out there, at the break here, I just passed out

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a short letter and a summary of a study, the one that George referred to, that the habitat conservation areas are a result of. And I just wanted to let you know what it was so you could look at it and read through it.

5

6 I received this in the mail as an advisory committee chair, I guess, and I thought it would be pertinent to the business that we'd be doing here so I brought it with me, and I got some copies made. And the study that George referred to earlier, the alias Mr. Taylor, this is a summary of it, and it talks about the habitat conservation areas and about particular wildlife species needing protection. And so I thought it might be useful, and I just wanted to point it out to you that you now have it in your possession and so you can look at it. And there's extra copies on the table back there. So that's all.

16

17 CHAIRMAN THOMAS: Okay. Thank you, John. This is more information for our information. These proposal drafts I have, I am kind of dragging around here till Carol gets back. Is she coming back or is she heading for her office, does anybody know? We were just reaching a point to where we're considering action items before we run out of agenda time. And I was making reference to the two proposal drafts that you shared with me on that. And if those are distributed now, would you be able to run those by us?

26

27 MS. JORGENSEN: First, Mr. Chairman, are we on 8E, is that what we're doing right now?

29

30 CHAIRMAN THOMAS: Right.

31

32 MS. JORGENSEN: Okay. Mr. Knauer would like to do -- walk us through the flow chart on proposal development. If he could take a minute to do that?

35

36 CHAIRMAN THOMAS: Sure.

37

38 MR. KNAUER: Thank you, Mr. Chairman. It'll probably take more than a minute but I'll try and keep it short. You have in your packet a two page document, it looks like this, it's got a rather simplified, straight line flow chart on the front and a rather complicated set of boxes on the second page.

43

44 And of course, one function of the Regional Council is to provide advice to the Federal Subsistence Board on regulations that relate to the taking of fish and wildlife resources for subsistence uses on Federal public lands. And those are important things to remember, for some of you this is a repeat, for the new members, it may be some new information,

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But we're only dealing with Federal public lands. And because of our jurisdictional concerns, primarily mammals, land mammals. We're not dealing with marine mammals, we're not dealing with migratory birds, nor are we dealing with, for the most part, fish or other marine resources.

6

7           These two charts, although they look different, are really dealing with the same thing. The first page is, more or less, a generic chart that indicates that a process -- the process starts with the publication of a proposed rule in the Federal Register. That rule is based on the previous year's regulations. They take the regulations from the past year and they say okay, this is the starting point, what do you, the public, wish to propose differently? And that was published on September 2nd.

16

17           There then is a period, in this case running through November 11th, during which the Regional Council, members of the public and other organizations can submit proposals for changes in the regulations. And these proposals govern only a specific part of the program, the part that we call Subpart D which relates to the harvest seasons, the harvest limits and the methods and means of take. Other parts are not covered within that, therefore, any proposals that are submitted on other parts are not considered for that.

26

27           After November 11- -- .....

28

29           MS. GARZA: Can you repeat that, please?

30

31           MR. KNAUER: Um-hum.

32

33           MS. GARZA: Okay. It's the limit .....

34

35           MR. KNAUER: Seasons, bag limits and methods and means. We try and call them harvest limits as opposed to bag limits.

37

38

39           MS. GARZA: And proposals not relative to those are not considered?

41

42           MR. KNAUER: Are not considered.

43

44           MS. GARZA: Are they considered at another time or they're just not considered?

46

47           MR. KNAUER: If they're not within the purview of the program, they're not considered. In other words, if they deal with marine mammals or migratory birds or something totally

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Outside the scope, they are not considered at all. The Federal Board does not have any jurisdiction over that. If they relate to things like a change in customary and traditional use determination, then they are sent to the group that is working on the C&T study for that particular area. They're not returned but they're not dealt with immediately. They are sort of put in the pot for when that particular area would be examined.

9

10 MS. GARZA: Okay.

11

12 MR. KNAUER: After the close of the proposal period, November 11th -- in other words, you folks have until November 11th to submit a proposal or multiple proposals, whatever, as does the public, as does the State, Alaska Department of Fish & Game, as does Bill Thomas as an individual, whatever. But after November 11th, then we take those proposals, put them in a standard format, put them in a booklet and send them out to the public and to -- including all of the Council members so that they have a chance to see what proposals were submitted and have a chance to ask the folks in their communities and in their regions what they think; is that a good proposal, is it a bad proposal, is it sort of okay but maybe needs some changes.

25

26 At the same time, our staff starts an analysis of those proposals to determine the biological impacts and the sociocultural impacts of those proposals. Then, a second round of meeting -- Regional Council meetings is held, that's the Regional Council meetings that occur in February, during which each of those proposals affecting the region is presented, information from our staff is presented to you as a Regional Council, the public is provided an opportunity to testify to the Council, and you as a council deliberate and determine what your recommendation is on each proposal.

36

37 Then in April, the Federal Subsistence Board meets and deliberates each proposal. And at that time, your Chair attends the meeting and provides the recommendation -- the Council's recommendation on the proposals. The public has an opportunity to testify, the State has an opportunity to provide their input on each proposal. At that time, the Board deliberates and comes to a decision to adopt or to reject or to adopt with modifications or, sometimes, to table a proposal to provide for additional efforts.

46

47 Final regulations are then developed from the proposals that the Board has adopted and published in the Federal Register, and those become the final rule which is effective

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July 1 of the following year. From that is then developed a public booklet, the thick, green booklet that you see on the back table and that you've got, that is sent out to the public usually about the beginning of each July. That happens every year, that process. The dates vary just a little bit, that's why this first sheet does not have any dates on it.

7  
8 The second page is the detailed process of each individual step that we go through with the dates that are anticipated for this year. Right now, you are in the midst of Block Number 8 there which says Public Comment/Proposal Period, but you're also right square in the middle of Block Number 10 which says Regional Council Meetings. You can follow this process down until it gets down to the Final Rule Effective which is Block Number 29 and Distribute Public Booklet which is Block 28.

17  
18 MS. GARZA: Mr. Chairman.

19  
20 CHAIRMAN THOMAS: Dolly.

21  
22 MS. GARZA: I took something home last night and it was the proposed regulations for 1995 that were in the Register, I thought that was my homework, and it sort of got redundant so I didn't go through all of it. But how does that fit into this flow chart here?

27  
28 MR. KNAUER: Okay. That is the very -- on the first page, that is the very first parallelogram, the very first block at the top.

31  
32 MS. GARZA: The Agency changes?

33  
34 MR. KNAUER: That is -- that's the first step up here, and on the second page, that is Block Number 7, PR meaning Proposed Rule published in the Federal Register. The start of the Federal rule making process is with the publishing in the Federal Register of a proposed rule. In other words, it's what is proposed would be in effect if nothing else were changed, if no comments were submitted. And what this is based on is the first year's rule; in other words, you need a starting point.

42  
43 And this packet you've got says okay, this was the starting point, this is essentially last year's but there were four minor changes -- not minor -- there were four changes from last year that occurred there. Those four changes, one was an opening -- it would be a proposed opening for the mountain goat season in Unit 1(B), in the Frosty Bay Ridge area. The -- in that particular case, the Forest Service had previously asked

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that that area be closed because there was some logging activities in the area. The logging activities ended, so they felt that it was acceptable to reopen the season in that area. So that was one change from last year's, one difference.

5  
6 In some of the units, there is a difference in the lynx season and limit from last year. None of those are in the Southeast. In Unit 18, there is a difference in the moose season, that's out on the Yukon Delta area. And up in Unit 23 and 26(A), that's up in the Northwest area, up by northwest of Kotzebue, there is -- the difference would close the sheep season, and that's based on declining populations up there.

13  
14 Those are the only differences in this proposed rule from what appeared June -- or in June that are effective right now. And usually what happens, those differences occur because of Board actions that occurred after the Board met in April and before this document actually gets published. It takes about 19 probably about 45 to 60 days to go through the process of actually getting one of these published in the Federal Register, it does take a period of time.

22  
23 MS. GARZA: Okay.

24  
25 CHAIRMAN THOMAS: That was too heavy for us, Bill.  
26 Thank you.

27  
28 MS. JORGENSEN: Mr. Chairman.

29  
30 CHAIRMAN THOMAS: Carol.

31  
32 MS. JORGENSEN: Upon Bill's presentation, Rachel would also like to have a minute with the Council. Rachel Mason, our anthropologist from Fish & Wildlife.

35  
36 CHAIRMAN THOMAS: Okay.

37  
38 MS. ROBINSON: Hey, Bill. Bill, before she starts, can  
39 just make a complimentary comment?

40  
41 CHAIRMAN THOMAS: Sure.

42  
43 MS. ROBINSON: On the -- with this thing here that was  
44 first mentioned, the second page -- second or third page there,  
45 was really nice having the summary of changes stated right  
46 front very clearly, it really helps with eliminating  
47 confusion about what's different. Thanks.

48  
49 CHAIRMAN THOMAS: Thank you, Mim. Okay.

50

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1  
2 MS. MASON: I wanted to speak a minute just to request  
3 your assistance in filling out the proposal forms. Once the  
4 proposals from this area are submitted, I'm going to be  
5 involved in some of the analysis of sociocultural  
6 considerations. And as you fill out the forms or if you're  
7 helping somebody else to do it, it would be helpful if the  
8 proposal form is very specific, if you answer those questions  
9 specifically. And I'm particularly interested in Question  
10 Number 5, which is how will this change affect subsistence  
11 users.

12  
13 The kinds of things that I'll need to know for  
14 justifying this proposal are how important or necessary is this  
15 wild food, how many hunters are there, how many attempted  
16 hunters or successful ones, what seasons is this food hunted or  
17 fished, how is it shared, how is it used, are there any uses  
18 other than food, how is it preserved, is it used on any special  
19 occasions, does it have religious importance, how does it  
20 relate to other foods and what is the history of the use, is it  
21 part of a long tradition and so forth.

22  
23 So any kind of information like that that you're able  
24 to provide will be helpful in establishing that there is an  
25 impact on subsistence users. Does anybody have any .....

26  
27 CHAIRMAN THOMAS: Did everybody have a chance to make  
28 reference? Mim?

29  
30 MS. ROBINSON: That's quite a list.

31  
32 MS. MASON: Yeah.

33  
34 MS. ROBINSON: There's no way I can remember everything  
35 that you just said.

36  
37 CHAIRMAN THOMAS: I think you meant any part of that?

38  
39 MS. MASON: Any part of that, it doesn't .....

40  
41 MS. ROBINSON: Uh-huh. Yeah.

42  
43 MS. MASON: I mean, I'm not telling you to .....

44  
45 MS. ROBINSON: Well, I mean that just a lot of it .....

46  
47 MS. MASON: ..... elicit .....

48  
49 MS. ROBINSON: ..... just went .....

50

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1  
2 MS. MASON: Uh-huh.  
3  
4 MS. JORGENSEN: Yeah. It's in that book (ph).  
5  
6 CHAIRMAN THOMAS: Maybe you could jot some of those  
7 down .....  
8  
9 MS. MASON: Sure.  
10  
11 CHAIRMAN THOMAS: ..... and make a copy and distribute  
12 them .....  
13  
14 MS. ROBINSON: That would be helpful.  
15  
16 CHAIRMAN THOMAS: ..... and that will be easy for our  
17 reference.  
18  
19 MS. MASON: Okay.  
20  
21 CHAIRMAN THOMAS: Would that help, Mim?  
22  
23 MS. ROBINSON: Yeah.  
24  
25 MS. MASON: Yeah, I will. Basically, anything that  
26 contributes to the idea that -- of the importance of this  
27 resource is something that's useful. But I'll make a list of  
28 the kind of things that are important and I'll make sure that  
29 gets distributed to the group.  
30  
31 CHAIRMAN THOMAS: That was a good question because that  
32 helps us understand more of what you're looking for. If we  
33 think -- if we know that you're looking for something from us,  
34 we need to have an idea of what it is.  
35  
36 MS. MASON: Right.  
37  
38 CHAIRMAN THOMAS: And so that list will aid us in doing  
39 that.  
40  
41 MS. MASON: Right. And another thing I wanted to  
42 mention is that I hope that I will be able to consult any of  
43 you concerning a particular area, because I need to have the  
44 knowledge of people who have personal experience in these areas  
45 in order to get this kind of information.  
46  
47 CHAIRMAN THOMAS: We'll do that.  
48  
49 MS. MASON: All right. Thank you.  
50

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1  
2 CHAIRMAN THOMAS: Thank you. Okay. What's the wish of  
3 the Council in pursuing our agenda item 8E?

4  
5 MS. GARZA: Mr. Chairman.

6  
7 CHAIRMAN THOMAS: Dolly.

8  
9 MS. GARZA: You know, I have not gone through this  
10 process before, I have not submitted any proposals to the  
11 Federal Subsistence Board as a general public person. But what  
12 have jotted down here that we talked about today is the  
13 accidental harvest of the doe in the Sitka area, the community  
14 harvest issue. Perhaps, this would be a good time to come up  
15 with ideas of how we could submit a proposal to address these  
16 issues.

17  
18 I think that the two -- in my looking at the agenda,  
19 the two major things we have left is whether or not we want to  
20 submit proposals and the designated hunter permitting system,  
21 and I'm not sure which of those two we should try and tackle.  
22 would imagine that either one of them could take the rest of  
23 this afternoon.

24  
25 CHAIRMAN THOMAS: Well, yeah, they can and into  
26 tomorrow as well.

27  
28 MS. GARZA: But I guess my interest is I would like to  
29 get one of them done.

30  
31 CHAIRMAN THOMAS: I would, too. What's the wish? Mim.

32  
33 MS. ROBINSON: Well, I was just thinking that it  
34 sounded like -- well, I'm not sure whether everyone's ready to  
35 discuss the designated hunter thing. I know for myself that  
36 I've gone through some of the report but I still need to go  
37 through the rest of it. So I -- personally, I don't feel quite  
38 ready to dig into that one, other than the fact we could maybe  
39 have a preliminary discussion on it, a little more in-depth  
40 than what we've done so far, or we could just hold off on that  
41 and give people a chance to do some more reading tonight and  
42 discuss it tomorrow and, instead, see if there's any other  
43 proposals that people may have some ideas for.

44  
45 CHAIRMAN THOMAS: We have a couple of these that are  
46 here in draft form for us to consider and see if we would --  
47 see if we're happy with them the way they are or offer whatever  
48 changes we would like to see in them. That'll kind of  
49 facilitate a couple that we can have by the deadline, and maybe  
50

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By that exercise it will give us an idea of how to do proposals. We'll stand at ease for 25 seconds.

3

4           Okay. In case you haven't detected, I've been getting  
boached on this. So it's good suggestions. It was suggested  
that, perhaps, I read this one proposal dealing with the six  
deer -- antlerless deer taken only from September 15th to  
January 31st; open season, August 1 to January 31. And I will  
do that starting with the proposed regulation.

10

11           25(k)4, Deer. Six deer, however antlerless deer may be  
taken only from September 15th to January 31. Open season,  
August 1 to January 1 (sic). A qualified subsistence user of  
Sitka may designate another qualified subsistence user of  
Sitka to take deer on his or her behalf if they are disabled by  
age or physical handicap.

17

18           Reason for changing the regulation, to address the need  
to supply those unable to hunt due to age or other handicaps.  
Also, it might provide a clearer picture for the harvest  
actions that are being taken. On April 12th, 1994, the Federal  
Subsistence Board meeting concerning the adoption of 1994/'95  
subsistence hunting regulations, the following discussions were  
recorded in the transcripts which explain why the same proposal  
was not adopted for 94/'95, but was to be reconsidered as  
205/'96 regulations.

27

28           Mr. Kurth: The Staff Committee recommended that the  
Board table these proxy proposals at this time, but direct  
staff to form working groups with -- in this case, we were  
dealing with the proposals at hand in Kodiak and Southeast  
particularly before us -- to cooperatively develop a proposal  
for the next regulatory year, '95 and '96, that would provide  
this customary and traditional use.

35

36           Mr. Cesar, Niles Cesar, he is a member of the Board  
representing the BIA. I'm troubled by the fact that we would  
wait an entire year to endorse a process, where I would see  
that we could make substantial progress, have the Board endorse  
the process, and by spring of 1995/'96 regulatory year, we  
could in fact move into regulation on it.

42

43           Mr. Buckle who is from the Bureau of Land Management:  
The Board encourages the Regional Councils to continue to  
advance proposals accommodating community harvest practices.  
In this light, I would move that the Board direct the staff, in  
coordination with the Regional Councils and the Alaska  
Department of Fish & Game, to develop proposed Subpart D  
regulations for the 1995/'96 cycle to provide for the customary

50

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and traditional practice of individuals providing for the needs of others in the community.

3  
4 Mr. Allen seconded it, Mr. Williams called for the question. The question is called for, all those in favor say aye, in unison. So the motion passed.

7  
8 The effect of the proposed change on fish and wildlife populations. At this time, there is no way to know these effects. Staff biologists will have to track this program. We generally feel that it will not affect the deer population in any negligible way.

13  
14 The effect of proposed change on subsistence uses. This will allow other subsistence users to become legal harvesters for those who cannot hunt and provide a viable way for the unable to get deer.

18  
19 Additional information. There are many Elders who get deer now, but the harvesters are forced to keep it secret so it won't have to be counted off his legal tags and still provide for his and his family's needs.

23  
24 So those are some technicalities considered in there because if you're going to harvest a deer, and for management purposes it has to be recorded, but there was discussion of who's going to record it. If the person that you're getting the deer for doesn't have tags and you were the designated hunter, would that -- would you have to forfeit one of your tags in order to keep that animal legal. So they were kind of working their way around that.

32  
33 The other proposal .....

34  
35 MS. JORGENSEN: Mr. Chairman.

36  
37 CHAIRMAN THOMAS: Carol.

38  
39 MS. JORGENSEN: The other one is basically the same only addressing Unit 5 and the .....

41  
42 CHAIRMAN THOMAS: Right.

43  
44 MS. JORGENSEN: ..... other species, but the wording is pretty much the same.

46  
47 CHAIRMAN THOMAS: So we got two proposals here and two discussions that are virtually the same; one is referring to deer, the other is referring to other animals.

50

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1  
2           They were -- the action that was taken was encouraged  
3 at first to work cooperatively to develop a proposal for  
4 next regulatory year that would provide for those customary and  
5 traditional uses.

6  
7           MS. GARZA: Mr. Chairman.

8  
9           CHAIRMAN THOMAS: Dolly.

10  
11          MS. GARZA: In looking at this proposal, I guess it's  
12 the designated hunter proposal, so it's sort of combining the  
13 two topics. Both are proposals that we need to look at, as  
14 well as the issue that was brought up earlier. I guess I would  
15 like to have a little bit more history from either you or  
16 Mr. George or someone who attended the organized meetings that  
17 were held this summer to address the topics. I still don't  
18 have a clear understanding of why this proposal did not pass  
19 the Federal Subsistence Board. Is it because it was too broad  
20 in terms of the number of species or because there wasn't  
21 enough information; if there wasn't enough information, then  
22 does the packet that we were provided with provide that  
23 additional information, the options?

24  
25          I guess I don't know what has been done and what needs  
26 be done in order to submit a proposal that would likely have  
27 favorable review.

28  
29          CHAIRMAN THOMAS: Okay. The best I can remember at  
30 this time, when we initiated this, this was brought up and we  
31 were trying to incorporate some practices from the past and  
32 still fall within the parameters of proposals. And this looked  
33 like a good one. In fact, we didn't take much discussion from  
34 our region, everybody understood it and everybody supported it.  
35 So we submitted that as our proposal. When it got to the  
36 Federal Board meeting, it then had a chance to be reviewed by  
37 other regions in the state. And they felt like this was an  
38 application that would work in their region as well, talking  
39 about different species. So it got pretty cumbersome.

40  
41          And so as long as it had the classification of  
42 customary and traditional uses, I think that's probably where  
43 sort of really came in from. If they didn't associate it  
44 with customary and traditional uses, it might have moved  
45 faster.

46  
47          Gabe, do you have a recollection what was discussed at  
48 the first meeting?

49  
50

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1 MR. GEORGE: I believe that the proposal came about  
 2 Because of some concern about the elderly getting meat and all,  
 3 and disabled. And I think that our representative from  
 4 Southeast, Gary MacKey, had one passed and/or was in  
 5 consideration for the State and all. And we're trying to  
 6 follow suit with the Federal. And I think that the intent,  
 7 initially, was to address what was being addressed. Got more?  
 8 Go ahead.

9  
 10 MS. JORGENSEN: One was passed by the State. And this  
 11 has been a long time concern for villages and for areas in the  
 12 rural areas. In a lot of the communities, traditional hunters  
 13 go out; there's designated hunters that go out and they may  
 14 hunt for the entire village, or as Mim brought up, too, in  
 15 other areas that's not an uncommon practice in the rural areas  
 16 where there's a few hunters that go out and then they bring it  
 17 back and share it with the community. And this has never been  
 18 addressed properly, and it's always forcing people to be  
 19 illegal in what they've been doing forever.

20  
 21 And so the State came up with a regulation, a proxy  
 22 permit but the permitting system as well-meaning and well-  
 23 intended as they meant it to be, it is so complex and so  
 24 cumbersome for people because it requires, for instance in  
 25 Southeast here, say someone from Hoonah or Angoon, if an Elder  
 26 wanted to get a permit, it requested all this identification.  
 27 They had to go into the Douglas office, which is very  
 28 inconvenient, and be physically in-person to get these permits  
 29 and then to be able to sign them over to the other person.

30  
 31 The Federal Government looked at that and said well,  
 32 you know, let's learn from experiences and let's try to develop  
 33 something that is workable. Because two things, we want to  
 34 recognize the subsistence and the traditional practices that  
 35 have been going on in the communities forever, the other thing  
 36 we need the biological information, that's critical. A lot  
 37 of times it's forced these people to be out of -- outside the  
 38 law and certainly, people are afraid to report and that  
 39 shouldn't be a fear there. And so they wanted to come up with  
 40 something that is more simplified than what the stated process  
 41 is now.

42  
 43 And then, Mr. Pospahala pointed out that this is a  
 44 concern not only in Southeast but it's a concern through the  
 45 whole state. And the State Government came and they also  
 46 talked about the fact that they meant well but they're having  
 47 problems because what is showing is that only urban people are  
 48 reporting this process, and they're still not getting the  
 49 reporting for the information for the conservation of the  
 50

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resources.

2

3           So from that then Southeast had put in two proposals  
4 and Kodiak one requesting a proxy hunt. And Mr. Pospahala said  
5 that since this is a concern for the entire state, he would  
6 like to develop a task force, and that's where the designated  
7 hunter task force came from, to work on this to come up with  
8 various options that are possible to present, and that's where  
9 the designated hunter task force report comes from.

10

11           The idea of these two proposals here was just to  
12 reinforce Southeast of the fact that they had put these in and  
13 reinforce the fact that there's still -- this possibly will  
14 give them maybe a hunt for this next '95/'96 rather than have  
15 wait for another year. So that's kind of a little bit of  
16 the history, Mr. Chairman.

17

18           CHAIRMAN THOMAS: Thank you, Carol. That's good  
19 history, and I appreciate that. And I need to remind people  
20 here that not all of us are in attendance when different bits  
21 of information are provided. And Carol has been doing a good  
22 job in representing us and attending all of those meetings and  
23 combining them. But with the schedules that take place and  
24 everything and the coordination, it hasn't always been possible  
25 get that information out to us. So I'm just trying to  
26 qualify my stumbling around the familiarity with some of these  
27 good issues. Gabe and then John.

28

29           MR. GEORGE: Yeah. Again to -- trying to recap some of  
30. Certainly, a lot of the issues came out and sometimes they  
31 make things a little bit sarcastically, you know. Like when  
32 they brought out the fact that, you know, if somebody is old,  
33 disabled and blind, you know, they can go and fill out these  
34 kind of forms and say, you know, could you please fill this  
35 out; I know you're blind and disabled, you know; so that you  
36 can get somebody else to harvest your deer, which really  
37 doesn't work.

38

39           But the intent was good. So I think that the Board was  
40 justified in trying -- in creating a task force to address the  
41 issue, and the issue being more than just a proxy hunter but a  
42 way of life that has occurred in much of Alaska, you know, for  
43 long, long time. And I think that's what we tried to do at  
44 the task force level and came up with various options and a lot  
45 criticisms about every option that was brought forth.

46

47           But certainly, it's treading on new ground. It looks  
48 -- at a community as a subsistence community and the way  
49 things were and tried to address and legalize those actions. I

50

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don't think we came out with a clear consensus on how to do that. Well, I know we didn't. And so here we are.

3

4 CHAIRMAN THOMAS: John.

5

6 MR. VALE: Well, yeah, just to kind of recap things a little bit, too. We proposed these a year ago, and then we took them up and made recommendations in, I don't know, February I think it was when we met, and we amended these. Correct me if I'm wrong, I'm just going on my memory. But we amended these and eliminated the part about being disabled or physical handicap. So -- and that result was the proposals we put forward were simply that any qualified rural resident could harvest resources for any other qualified rural resident, and there wasn't a restriction by disabled by age or physical handicap.

17

18 So I think that's an area that we'll need to touch on  
19 we, you know, redraft new proposals to see if we still want  
20 go with that or if, in fact, we do want some sort of  
21 qualification with the physical handicap part of it.

22

23 CHAIRMAN THOMAS: Dolly.

24

25 MS. GARZA: Perhaps what my uncle has been doing for  
26 years is illegal. But he always walks into the office in Craig  
27 and picks up a subsistence fishing permit for my grandmother  
28 and goes out and gets her 10 sockeye. She doesn't have to be  
29 there, she doesn't have to be on the boat. And the report just  
30 has to come back. And so I'm not sure why we can't do  
31 something like that here. And I'm not sure if that technical  
32 problem is the only problem it was sent back. I'm not sure if  
33 this report from the designative -- designated hunter task  
34 force looks at that technical problem.

35

36 I mean, I've tried to go through it at the end of the  
37 lunch and at breaks when I could, and it seems to look at a  
38 broad range of options. But I didn't anywhere see there a real  
39 clear review of the technical process of giving a license to  
40 someone who can't get into a Douglas office or a Ketchikan  
41 office to actually get the license.

42

43 MR. GEORGE: The task force did talk about that and  
44 there was comments, you know, about that. First, I hate to say  
45 this, but your uncle was illegal, at least as far as picking up  
46 permit and taking it out and filling it. And that's one of  
47 the issues. The issue is that -- and I think it's been brought  
48 out in Sitka, a person can correct me if I'm wrong, but my  
49 information states that -- or remembers that even on a salmon

50

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fishing permit, that the person that it is written out to has to be on the boat. And so in Sitka when they took out people to fill out their subsistence fishing permits, through the State, that they had to be physically on the boat and they went out and got it for them and brought it back.

6  
7 There is that provision for physical handicapped and blindness and all that that applies and you don't have to be on the boat, but that has to be verified, as they mentioned, by a doctor and by this and by that. And I don't know how much -- I mean, it was an incredible hardship that would be placed upon the physically handicapped to go out and get all that information for the fish and deer that they wish to have.

14  
15 So yes, that was batted around quite a bit. Also came out was, of course, the moose, and the few moose that was harvested by different people in the community that shared that moose and whose ticket it would go on. And I mean, there was a lot of discussion around the table about different aspects of proxy hunting and whose ticket and what applications and the reporting aspect. As you're well aware that many of the villages don't report how much deer is taken, don't turn in their tags except for school teachers and a few other people.

24  
25 So the question was raised as to whether we want to continue a practice that didn't work or come up with something that would.

28  
29 MR. DALTON: Mr. Chairman.

30  
31 CHAIRMAN THOMAS: Dolly.

32  
33 MS. GARZA: You have someone down here.

34  
35 CHAIRMAN THOMAS: Richard.

36  
37 MR. DALTON: The question is these people here who were harvesters were in fear of taking so much deer. And when they went out hunting to get the deer, their intent was to get it for somebody there that was disabled or an elderly person. And it appears that everybody gets a license from the State to do some hunting, one way or the other. The same thing is true with sport fishermen and commercial fishing if that's the activity they're involved with. For me as an Elder, I have a lifetime license but I still go after my own game. I still depend on my own capability; however, there isn't that much can say for themselves because of other disabilities that goes with their age.

49  
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1           So it appears that permit system would be more logical  
 2 just like they do with the fisheries. Because the  
 3 fisheries, as I go out to Hoktaheen, I take a permit for  
 4 somebody there that is allowed 25 fish. And we get it, whether  
 5 we get 25 or not, it's not feasible, there's no guarantee. So  
 6 whether we get five fish or ten fish, we brought it back and  
 7 gave it to them. So there isn't any guarantee where a guy  
 8 would go out and harvest a deer for an individual that's not  
 9 capable of using this, there's no guarantee he's going to get  
 10 a deer anyway. So there might be a guarantee that he might  
 11 come back with one deer at least, but then he's being protected  
 12 by pursuing this is under the permit system.

13

14           CHAIRMAN THOMAS: Okay. Anybody else? Dolly.

15

16           MS. GARZA: Do you know if there is a charge for a  
 17 license to someone who's over 60 or 65? You would think that  
 18 we could request that those license automatically be sent out  
 19 to avoid that initial problem and, perhaps, that an additional  
 20 page be sent with that license that would allow that person to  
 21 designate someone as a hunter. So that packet would be sent to  
 22 at least the elderly, perhaps, the handicap that request to be  
 23 on that list each year, and they can simply sign a designated  
 24 hunter sheet that would give their son or daughter or nephew  
 25 that opportunity for them.

26

27           MR. GEORGE: The answer is no, there is no charge for,  
 28 you know, some -- you get a lifetime sports hunting permit  
 29 after a certain age. But the thing that came up -- at least up  
 30 the task force, which is a statewide thing, and somewhat  
 31 reflects in Southeast, is that when you get -- I mean, let's  
 32 say like my aunt who can't go out, doesn't have a husband,  
 33 she's widowed and all that, gets her license and gets her  
 34 packets, does she give it to me who is not as accurate as my  
 35 little brother in shooting a deer or does she give it to my  
 36 little brother and all -- or you know, who's going to be the  
 37 designated hunter.

38

39           And whether is it -- there's a lot of different  
 40 cultural hang-ups attached to the pro- -- that process. And it  
 41 was somewhat, overall, rejected by the representatives from all  
 42 the other different Regional Councils. That probably wouldn't  
 43 work in their community and that there was some things that you  
 44 just culturally didn't do to a hunter, and that's probably one  
 45 of them; impose bad luck on them or, you know, having them  
 46 being brag- -- become braggers or whatever.

47

48           So there is -- no, it wasn't received very well by the  
 49 most of the participants in that task force.

50

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1  
2 MR. VALE: Gabe, I didn't quite understand where you're  
going .....

4  
5 MR. GEORGE: Well, what happened -- I'm sorry. What  
they said was that if somebody had a tag, let's say for a moose  
and you weren't able to get it, so they gave it to someone.  
And if they gave it to their nephew, they didn't think they  
could -- they didn't -- that their way was that they didn't go  
out and say well, I'm going to go out and get a moose for my  
auntie today, you know. They didn't say that, they didn't  
imply that, and they didn't want to be, you know -- what?

13  
14 MS. GARZA: Offended is a word.  
15

16 MR. GEORGE: Offended. You know, they'd offended their  
hunter spirit or whatever, it gave them some bad luck and a  
different connotation with the whole thing. What did happen  
was peop- -- you know, a hunting party would go out and say  
five guys and one would shoot the moose. Now, whose tag goes  
with that? And that moose is shared by five people or five  
families or six if, you know, they're doing it for someone  
else, you know. You know, so there's a whole bunch of  
practices that doesn't -- isn't addressed by handing over a tag  
to someone.

26  
27 MR. VALE: I see. I'm getting an understanding then.  
I wonder if, under those circumstances, if something like a  
community harvest limit for a given community would be more  
appropriate than some kind of a proxy system.

31  
32 MR. GEORGE: Um-hum. That's why the options came out  
in the task force report .....

34  
35 MR. VALE: Um-hum.  
36

37 MR. GEORGE: ..... is because of the differences and  
in harvesting. But still .....

39  
40 MS. LeCORNUE: Mr. Chairman, I was just wondering where  
the permit restriction I call it -- I view it as a restriction  
because this act is supposed to allow me somehow. Now, when I  
have to get a permit, that's instantly not allowing me general  
use. It's saying well, you have to go to this government  
institution and get a permit. Where does it say that? Is that  
the regulations that we're making now?

47  
48 CHAIRMAN THOMAS: No. In fact, I don't know if such a  
permit exists, does it, in the State?

50

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1  
2 MR. GEORGE: Yeah. Well, the State -- you know,  
3 everything -- I mean, if you go out and get gumboots, you're  
4 supposed to have a sports fishing permit. If you're going to  
5 collect any of the resources, you have to have a license or a  
6 permit which is a license. I don't know if there's anything  
7 that doesn't have a license attached to it that is legal.

8  
9 CHAIRMAN THOMAS: So are we talking permits now or  
10 licenses?

11  
12 MR. GEORGE: Well, in this case in terms of the  
13 hunting, we're talking about license, we're talking about a  
14 permit and we're talking about tags and the option is there.  
15 Certainly, I believe you've seen some proposals stating that  
16 subsistence users do not wish to purchase a sports hunting  
17 license in order to harvest subsistence resources. We've seen  
18 that in the past and I'm sure we'll see it in the future, and  
19 that's an issue. But the intent of the regulation and all, as  
20 understand it, is for the managers to obtain information to  
21 manage the resource.

22  
23 CHAIRMAN THOMAS: Bill.

24  
25 MR. KNAUER: Yes, Mr. Chairman, I'd like to clarify one  
26 bit of terminology. Even though I'm a Federal official, I'd  
27 like to clarify the aspect of the hunting license. In the  
28 State of Alaska, it is not a sport hunting license or a  
29 subsistence hunting license, it is a general hunting license.  
30 And the funds that are derived from that hunting license  
31 provide for the management and study of wildlife resources  
32 throughout the state. They also provide a basis from which the  
33 State gets a portion of money from the Federal Government based  
34 on taxes that are levied on firearms and ammunition, which also  
35 goes towards the management of wildlife resources for  
36 subsistence, for sport, for non-consumptive users here in the  
37 State of Alaska. So it's a general hunting license.

38  
39 CHAIRMAN THOMAS: Thank you. Who else? John.

40  
41 MR. VALE: Well, in response to that I guess maybe what  
42 can be said with licenses, you know, we might want, at some  
43 point, to address the -- in the form of a proposal the  
44 requirement to get a license, you know, maybe the permits are  
45 adequate in themselves for customary and traditional uses.

46  
47 The point I wanted to make with regards to proxy  
48 hunting is that, you know, subsistence is for rural residents  
49 with customary and traditional uses. And most of the  
50

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communities have many people residing in them who don't have a history, let's say a Native background or a Native history or a history of customary and traditionally using the resources, but in fact, they live in communities that are rural and do have those resources available to them and the protections under ANILCA. So whatever system we come up with, we have to keep in mind that those individuals are there as well.

8

9           So, you know, I am still looking favorably upon a proxy hunting system as a good means of addressing all the concerns that we've issued here. And so I think, you know, our -- I'm not sure that, you know, these proposals here need to be put forward, but I do believe we need a proposal that does allow for proxy hunting. At least at this point, I think that's where I'm at on it. And I feel like we should, to a certain extent, try to be species specific or, you know, perhaps for moose and deer and stuff like that we could say ungulates.

18

19           But I don't know, that's where I'm at right now, I just thought I'd try to share that.

21

22           MR. DALTON: Mr. Chairman.

23

24           CHAIRMAN THOMAS: Richard.

25

26           MR. DALTON: I'm looking at this pretty seriously, and sometimes it kind of gets light and then other times it gets heavy. It's something there that's very vitally important to alleviate what I'm seeing on this proposal of 1995 and 1996 Federal Subsistence Regulation. And here we have an option, report of the designated harvester/hunter task force, October, 1994. It appears to me that this particular piece of paper falls into this particular tribal management. And by token of tribal management, it would cover some marginal areas where it is being discussed as of this meeting.

36

37           Now, I'm optional, to be corrected if I'm wrong, but this is what it looks like to me.

39

40           CHAIRMAN THOMAS: We're getting close to winding down for the day. There's been a lot of thought and some different viewpoints, they're all good ones. What do you think, you guys want to break now and then look at this for better background and give yourself some more specific ideas to put forth tomorrow or what's your wishes?

46

47           Dolly.

48

49           MS. GARZA: I guess I don't find any major fault with

50

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the original proposal that was submitted, I assume by Sitka, assuming that it was amended to take out the disabled. And the only problem we're getting back to is how do you get that piece of paper from a disabled or a single mother to a hunter and how you give several hunters that opportunity to provide for one older person or for one family.

7

8 I guess I would be willing to sit here for another hour, perhaps with a smaller committee, and work on a piece of the big sheet there and see if we can come up with something for tomorrow. Because I think that if we don't work in a small group to try to get something together, I'm not sure we're going to come up with a solution as a larger group tomorrow.

14

15 CHAIRMAN THOMAS: So we'll call this a sub-task force.

16

17 MS. GARZA: Ad hoc group.

18

19 CHAIRMAN THOMAS: Ad hoc. We're looking for volunteers. I always look for volunteers first and then if we don't get no volunteers, then I have to impose the selective service system. Volunteers, raise your right hand, to work on this and work it out on a flip chart. Mim. John. Dolly, Abe.

25

26 MS. LeCORNUE: I will, too.

27

28 CHAIRMAN THOMAS: Vicki. I will see that you guys get one and a half for that. I think that's a good idea, thank you, Dolly, for suggesting that. That was kind of going through my mind but I didn't have the courage to suggest it.

32

33 John.

34

35 MR. VALE: Mr. Chairman, I think it would be helpful if, perhaps, we could get a little direction in drafting up a proposal. You know, at one point during our discussions last year, we talked about making it for all subsistence resources and, you know, then we went back to species specific, just later. And so I guess it would be useful to know now what the sentiment of the Council is, if they want to address individual species or a larger group of species.

43

44 CHAIRMAN THOMAS: I think we've got a majority of the Council to serve on this particular project, and my guess would be that whatever your recommendations come out I think will be endorsed by the rest of the Council. What I was going to ask now is there any Staff available that could help in structuring this? One, two, three, four.

50

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1  
2 MR. GEORGE: You better .....  
3  
4 MS. GARZA: We're going to be outnumbered.  
5  
6 MR. GEORGE: Yeah.  
7  
8 CHAIRMAN THOMAS: Huh?  
9  
10 MR. GEORGE: You better put George Taylor on there,  
11 do.  
12  
13 CHAIRMAN THOMAS: George Taylor.  
14  
15 MR. GEORGE: Yeah. He was at most of them (ph).  
16  
17 CHAIRMAN THOMAS: George seems to be a pretty popular  
18 guy.  
19  
20 MS. ROBINSON: I didn't see his hand go up.  
21  
22 MR. GEORGE: Well .....  
23  
24 (Indiscernible, simultaneous speech)  
25  
26 CHAIRMAN THOMAS: We'll have to impose the presidential  
27 selective service here.  
28  
29 MR. GEORGE: Mr. Chairman, one of the things that comes  
30 came up at the designated task for- -- or the proxy task  
31 force, whatever it was, was tribal, and it came up here also.  
32 And there is certainly an option in the proposal considering  
33 tribal enforcement and regulation. The problem is, is this the  
34 arena to address that or is that in with the Secretary of  
35 Interior and Ag and whoever all the Secretaries are that have  
36 management authority over the areas.  
37  
38 I don't think we're -- we can certainly make our  
39 commendations but that also has to be well thought out. And  
40 I'd much rather not address that until we have gone through it  
41 in a more thorough discussion period, you know, not to take  
42 anything away from them or add anything to it. But I think  
43 Southeast has to think about that on a tribal scale.  
44  
45 Yeah, I guess that's all.  
46  
47 CHAIRMAN THOMAS: Okay. Thanks, Gabe. When this  
48 committee works on this this evening, I was wondering, Bill, if  
49 you would agree to kind of facilitate the direction of the  
50

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discussions and some of the critical areas that we're going to need to consider. So if you could do that, because none of us are really that familiar with the process even though we've seen it a few times. So appreciate that.

5

6 Before we break up, Terry would like to go over the -- some of the logistics with us. You got a funny looking sheet here and a white sheet, and Terry is going to make it as easy as possible for us and is going to give us some suggestions and this kind of thing. So it's all yours, Terry.

11

12 MR. WILD: Yeah, you can close the meeting, and I can just come up here 'cause it's just for the Council members .....

15

16 CHAIRMAN THOMAS: Okay.

17

18 MR. WILD: ..... on that so .....

19

20 MR. GEORGE: Vote for a recess till tomorrow.

21

22 CHAIRMAN THOMAS: Okay. A recess has been called for. We're in recess.

24

25 (Off record)

26

27 (END OF DAY'S PROCEEDINGS)

28

29 \* \* \* \* \*

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4 ) ss.

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